

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M19290+P 19290+V19 290	Working H Meats, LLC	NAW00120 91605G	05SEP2019	04C02	Livestock Humane Handling	Open	<p>Today, September 5, 2019, at approximately 1030 hours, I verbally notified Mrs. Terrie Hardesty, establishment owner/manager, of my decision to suspend slaughter at Establishment 19290. I advised Mrs. Hardesty that I would be contacting (b)(6) and the Raleigh District Office about my decision. At approximately 1025 hours, an Angus steer, less than 30 months of age, was loaded into the knock box. Mr. Grant Hardesty attempted to stun the steer using a .22 Magnum rifle. (b)(6) myself, and Mrs. Hardesty were in the USDA office discussing another issue. When I heard the rifle fired a second time, I started toward the kill floor. As I did, the rifle was fired a third time. When (b)(6) (b)(6) and I tried to open the door to the kill floor, it was being held shut by a plant employee, and at this time, I heard the .308 rifle fired. (b)(6) (b)(6) opened the door, and we observed the steer was rendered unconscious with the shot from the .308 rifle. I asked Grant Hardesty for details of the incident, and he said the animal "locked up" after each of the shots with the .22 Magnum but did not go down. Because IPP had not witnessed any of this, I asked to view the video which the establishment records. I accompanied Mr. Justin Hardesty to the computer and watched the entire incident. After the first shot, the steer backed up and threw its head around but did not go down. The same occurred after the second and third shot with the .22 Magnum. The fourth shot, using the .308 rifle, rendered the steer unconscious and it went down. After speaking with (b)(6) and (b)(6) (b)(6), at approximately 1045 hours, I confirmed with Mrs. Hardesty that slaughter was suspended. (b)(6) placed US Reject Tag #B40457354 on the knock box. After the establishment had skinned the head, I examined it and found four bullet holes in an "L" shape. The</p>

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								holes are spaced approximately 1 inch apart with the first shot being the middle shot. This shot is level with the eyes. The two bottom shots were the second and third shot, and the top of the "L" is the shot from the .308 rifle. This was confirmed with Grant Hardesty. While the establishment did develop a written systematic approach to humane handling in response to the previous suspension, this plan is not yet considered robust due to the previous suspension and the recent NR.

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25	M1962+P1 962	Perry Way Foods, LLC	LIN090608 3121G	21AUG2019	04C02	Livestock Humane Handling	Finalized	<p>At approximately 0630 hours on 08/02/2019 while verifying the establishment's implementation of their humane handling program at the stunning area (HATS Category IX Conscious Animals on the Rail), (b)(6) observed a sow hung on the rail in the blood pit area following proper electrical stunning being stuck by a relatively recently hired employee. (b)(6) (b)(6) noted that the sow did not appear to be bleeding effectively from the stick. The sow was demonstrating signs to indicate she was possibly on the verge of returning to consciousness such as slow back-and-forth eye movements and arching of the back to the side. The sow was not noted to be vocalizing. Another establishment employee noticed that the sow was demonstrating possible signs of return to consciousness and called over a third establishment employee, who proceeded to restick the hanging sow, at which point she began to flail. After the second stick, the sow bled out and exhibited death. Given that these signs were suggestive of return to consciousness and a possible egregious humane handling issue, (b)(6) (b)(6) placed a "U.S. Rejected" tag (#B33511393) on the entrance to the stunning area, and informed establishment management of this incident and the regulatory control action taken. After correlation with the District Office and DVMS about the incident, it was determined that the establishment should be issued a humane handling MOI because the sow was not demonstrating conclusive signs of full return to consciousness. Following this determination by the District Office, (b)(6) removed the U.S. Rejected tag from the entrance to the stunning area and allowed the plant to resume production. At this time, (b)(6), (b)(6), and CSI Yelton met with the establishment management to discuss the incident. The establishment explained that it has in place a robust humane handling</p>

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								<p>program that contains a stunning SOP describing corrective actions to be taken in the event of an animal beginning to return to consciousness. The SOP states that (b)(4)</p> <p>(b)(4)</p> <p>(b)(4)</p> <p>(b)(4) The harvest floor supervisor informed USDA that blood pit employees are trained on signs of consciousness and on corrective actions in the event of a mis-stun or return to consciousness and that this training is documented by the establishment. At the meeting, management presented its corrective actions verbally for the failure to follow the SOP for return to consciousness, to include replacing the electrical stunner that had been used in the morning, replacing the employee who had made the initial stick with a more experienced individual, moving the location of the hand stunner to be more convenient for blood pit employees, and training the employee who removes ear tags on use of the stun gun to include supervision from a more experienced employee until the ear tag employee is comfortable on their own. USDA verified follow-through of these corrective actions. (b)(4) advised the establishment that the robust humane handling program may need to be re-evaluated to ensure that the program is being followed as written to prevent a noncompliance or egregious humane handling issues in the future.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M21898+V 21898	Farmers Union Industries, LLC	OXG40170 72119G	19JUL2019	04C02	Livestock Humane Handling	Finalized	At approximately 1330 on July 19, 2019, I was conducting ante-mortem inspection at establishment 21898 Farmer's Union Industries in Estherville, Iowa. While conducting this inspection I noticed approximately 50% of the pigs across the entire old barn (the barn with the pit underneath) were panting. Some of the pens at the ends of the barn exhibited nearly 90% of the pigs panting. In the new barn (the part without the pit underneath it) none of the pigs were panting. I noticed a major airflow difference and comfort level for myself between the two barns. In the new barn there are fans over every pen and six misters spraying water in each pen. In the old barn there are three fans on each of two of the walls and two misters per pen. One mister on each end. The temperature outside during this observation was 91 degrees Fahrenheit with a "feels like" temperature of 107 degrees. The temperature in the old barn was 91 degrees and it was 88 in the new barn. At approximately 1530 I asked the Livestock Supervisor if he was doing anything to make the pigs more comfortable. He replied that his crew was spraying the hogs down with water between unloading trucks. He was also decreasing pen density for any of the pigs that were going to be in the barn over the weekend.

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25	M244L+V2 44L	Tyson Fresh Meats, Inc.	TWH59120 91719G	19SEP2019	04C02	Livestock Humane Handling	Finalized	<p>On 9-18-19 at approximately 12:20 PM I, (b)(6) spoke to procurement supervisor (b)(6) about a humane handling problem I had observed. I was performing humane handling verification activities and watching trucks unload. I observed a driver in dock 4 using only an electric prod to move animals off of the truck. The truck driver had an electric prod in one hand and a metal sort board in the other hand but was using the prod to touch almost every hog to move them off the truck. I did not observe the sort board being used. I watched him unload approximately 30 hogs this way. After 2-3 minutes the establishment's dock monitor approached the truck driver and spoke to him. The truck driver then switched to a different tool to move hogs (a paddle or other tool covered with a plastic bag). Federal regulations state that driving of livestock shall be done with a minimum of excitement and discomfort. The establishment's written humane handling program states that the electric prod shall be used as little as possible. Prod use has been discussed multiple times at weekly meetings in this establishment as problematic (meeting dates 5-9-19, 7-18-19, 7-25-19, and 8-1-19) showing a trend of overuse of the electric prod to move livestock. Establishment 244L has a robust written humane handling program at this time. If FSIS continues to observe that establishment employees are not following the humane handling program as written the program may no longer be considered robust.</p>

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15	M245L+P2 45L	Tyson Fresh Meats, Inc	LEI342209 2926G	26SEP2019	04C02	Livestock Humane Handling	Finalized	<p>HATS task IX Return to Consciousness At 2343 on September 21st, 2019, as a steer left the stack and started down the bleed chain, prior to exsanguination, it attempted to right itself and blinked. An establishment employee noticed this steer at the same time I did and went to stun the steer with a hand-held captive bolt (HHCB) device. The chain continued to run, the steer continued to try to right itself, and the employee was unable to get a good shot to stun the steer. I instructed the establishment employees who were bleeding the animals to stop the line and they did. The employee placed the HHCB device on the steer's skull, but the device did not fire. While the employee fixed the HHCB device, the steer vocalized twice. The employee placed the HHCB device on the skull again. This time the device fired. The animal was rendered insensible and exsanguinated. Approximately 1 minute transpired from when the steer regained consciousness and was rendered unconscious again. I informed (b)(6) of the incident. I tagged the knock box with USDA retained tag B31963126. The establishment cleared the line out after I contacted the FLS.</p>
25	M2460+P2 460	Cimpl's, Inc.	PMB12040 81328G	28AUG2019	04C02	Livestock Humane Handling	Finalized	<p>On the morning of August 28, 2019, I (b)(6) performed an odd-hours inspection of the barn and animal-handling facilities. During this inspection I found the following concerns: 1. There is a sharp edge on a piece of sheet metal on the side door to the alternate knock box. 2. The water guard in Pen 7 is broken and hanging loose on one side.</p>

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25	M253	Long Prairie Packing Company, LLC	AGL371209 2627G	27SEP2019	04C02	Livestock Humane Handling	Open	<p>At approximately 1430 on Wednesday, September 25, 2019, I, (b)(6) was conducting a Livestock Humane Handling Task. While conducting this task I was observing cows enter the restrainer. One of the cows stopped at the restrainer. The establishment employees tried to drive the cow forward in the restrainer. While this was occurring the door to the restrainer closed on the cow next in line. This caused the cow to go down. It did not appear to injure the cow, but the cow could not rise again and had to be euthanized. It appeared that her foot got caught underneath her which caused her to be unable to get up. The establishment employees stated that the door went down on its own. I informed (b)(6) (b)(6) that unless he put in place something to ensure the door did not close on another cow I would be placing a U.S. Reject tag on the restrainer. He found a large metal bar and placed it underneath the door so it could not close. He also stated that he would have maintenance look at the door at the end of the shift. I told him these measures were adequate to continue running the restrainer. On Thursday, September 26, 2019, during the weekly USDA Meeting I asked for an update on the door. The establishment responded that they replaced the handle that operated the door and that they thought the actuator inside the handle was faulty. They also stated that they would be adding the handle to their regular maintenance schedule to prevent this from occurring again.</p>

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50	M2926	Pork King Packing, Inc.	ODK30160 94309G	09SEP2019	04C02	Livestock Humane Handling	Open	<p>While doing antemortem inspection of hogs in pens 4 at about 1pm, I found one of the large drain grates approximately 1 foot long by 8 inches wide, completely removed and moved to the opposite side of the pen. This pen was holding approximately 30 market hogs at the time. I called over barn personnel to replace the grate and have them notify maintenance. This grate had previously been able to be removed by the hogs and was since modified with a large basket-like welding attached to the bottom as the fix so the hogs could not pull it up. This modification is not working. With the grate out of place, when the hogs were moved away from the area to put it back in place, 2 hogs stepped into the hole to the basket below. This is cause for concern as this step could easily cause injury to the hogs, especially injuries such as broken legs, bruises, etc. Maintenance was called to the barn to see the problem. Later I was informed that due to other maintenance issues in the plant, the grates would not be fixed that night but possibly the next night. This is a recurring problem as 2 weeks earlier I had pointed out a drain grate out of place in pen 6 that sows had rooted up. This is an area of concern that needs to be addressed immediately with some sort of permanent mechanism that will not allow for hogs to remove it any more. This issue should have been addressed as part of the robust systematic approach to humane handling system that Pork King has in place.</p>

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35	M320M+V 320	Smithfield Fresh Meats Corp.	VWK04150 94325G	25SEP2019	04C02	Livestock Humane Handling	Finalized	<p>I spoke with (b)(6) at approximately 1545 hours on 09/24/2019 regarding a basket containing six live hogs in the top cage of the South Butina. The hogs had been in the Butina cage since 1500 hours (approximately 45 minutes) at that time due to a mechanical breakdown. The CO2 had not been evacuated as the problem was with the hydraulic system. The hogs were lying down but panting heavily and appeared fully conscious. A plant employee had begun spraying the hogs down with water about five minutes previously. There was no estimated completion time for repairs. I told (b)(6) this situation was less than ideal and may develop into a humane handling noncompliance for hogs being confined with no water or if they became distressed. (b)(6) immediately contacted Maintenance to discuss removing the hogs from the cage while repairs were completed. He stated they did not have a way to evacuate the hogs from the cage but could lower them to Stop 1 (approximately 90% CO2) to be immediately stunned. The cage was lowered and the hogs were stunned around 1600 hours, approximately 60 minutes after being loaded. A separate cage of hogs that had been raised showed no animals with any signs of consciousness. (b)(6) confirmed that the 31 animals in the Butina would be condemned in accordance with establishment policy and the Butina would not be put back into use until repairs were completed and it was fully operational.</p>

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15	M322+V322	Double J Meat Packing, Inc.	QOE3010072415G	15JUL2019	04C02	Livestock Humane Handling	Finalized	<p>On July 11, 2019, at approximately 7:45a.m., (b)(6) notified me (b)(6) that there was a bison on his back he needed to shoot. I followed (b)(6) out to the pens. When I arrived, I saw a bison in the alley down on his back leaning towards his left side, facing south (opposite direction) of the knocking box. The animal back legs were wrapped up in-between the bars, head lying against the side panel along the ground. The animal appeared to be very work up and breathing very heavily. The section of the alley way that the bison was trapped was approximately 2 ½ -3 ft wide. Do to these factors it was not possible to get the bison up. Therefore, the company made the decision to shoot the animal. Unfortunately do to the awkward position of the head it was hard to get a clean shot. It took 3 shots in a period of approximat 10 to 12 mins, before the animal no longer showed signs of sensibility and no longer had rhythmic breathing. (b)(6) (b)(6) and (b)(6) (employee who shot the animal), both verified the animal was dead before they dragged the animal out of the alley way and brought it inside to be harvested. This MOI is to remind Double J Meat Packing of the FSIS requirements of Handling livestock in 9CFR 313.2. Which states "Driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animal. Livestock shall not be forced to move faster than a normal walking speed."</p>

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40	M337+V33 7	STX Beef Company	UNG14080 74126G	26JUL2019	04C02	Livestock Humane Handling	Finalized	<p>An anti mortem inspection was done by (b)(6) today @ 7:30 am. He found one cattle dead in pen 11 and gave me 10 pen cards and one FSIS FORM 6150-1 the corresponding data filled up except the post mortem report. After I settled my things in the office, I immediately conducted an investigation on this matter. I was met by (b)(6) the plant employee detail at the stockyard that does the receiving, unloading and depositing the cattle in the respective pens. The said cattle was removed from pen #11 and moved to the back area of the hide building where I examined the animal. The cattle had a deep gapping wound on the right hindleg on the lateral side and a foot from the ground/hoof. The wound was very deep that upon palpation I could feel the torn arterial blood vessel. The mucus membrane of the mouth and the tongue was pale white instead of the normal pinkish white color. The cattle died of blood loss/exsanguination. The wound was inflicted yesterday evening when the cattle were delivered and it's been 24 hours enough time to bleed out the cattle from the arterial vessel cut. I inspected pen #11 together with (b)(6) and (b)(6) (b)(6) detailed at the stock yard, and we were able to identify the place where the injury occurred. It was assumed that the metal base hinge of the iron pipe fence could be the source of injury. I suggested that the metal base be trimmed to prevent another incident. At 11:00 am I returned to the site of injury and I found out that the metal base had been trimmed and also in pen s#12 and #13.</p>

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90	M44779	Faulkner Meats	VMV01120 71609G	09JUL2019	04C02	Livestock Humane Handling	Finalized	<p>USDA inspected slaughter activities were performed this day at Faulkner Meats (M44779) Taylorsville, KY. The Supervisory Veterinary Medical Officer (SVMO) verified conditions in the holding pens at approximately 1500 hrs. EDT. What appeared to be a pot-bellied pig was observed being held on the scale without access to water; no means of holding water was found in the "pen". In-plant personnel left the establishment at approximately 1330 hrs. EDT. How long the pig was held on the scale without water is unknown. Management considers all animals in the holding pens to be custom exempt until the time they are declared for USDA inspection. Upon returning to his vehicle in preparation to leave the establishment, the SVMO was confronted by establishment owner Mitchell Warren. Mr. Warren stated, "USDA is done; stay out of my barn." The SVMO informed Mr. Warren of his right to be in the barn; Mr. Warren reiterated "stay out of my barn." The SVMO encouraged Mr. Warren to contact chain of command; again Mr. Warren stated for the SVMO to "stay out of my barn." It is recommended establishment management review Title 9 CFR 300.6 Access to establishments and other places of business. Particularly 9 CFR 300.6(a)(1) which states in part that persons subject to provisions of the FMIA (Federal Meat Inspection Act) must afford representatives of the Secretary access to establishments that slaughter or otherwise prepare livestock products and 9 CFR 300.6(b)(1) which states in its entirety "At all times, by day or night, whether the establishment is being operated or not, inspection program employees must have access to the premises and to every part of an establishment that slaughters livestock or otherwise prepares meat products or slaughters poultry or otherwise processes poultry products that are subject to inspection for the</p>

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								purpose of conducting an inspection or performing any other inspection program duty. The numbered official badge of an inspection program employee is sufficient identification to entitle him or her to admittance to all parts of such an establishment and its premises." Again, the establishment management is reminded that per Directive 5930.1 revision 4, custom exempt operations are subject to the FMIA and HMSA. This continues a trend in custom exempt humane handling issues.
90	M44779	Faulkner Meats	VMV28080 70726G	26JUL2019	04C02	Livestock Humane Handling	Finalized	Faulkner Meats (M44779) Taylorsville, KY engaged in USDA inspected slaughter this day. At approximately 1330 hrs. EDT the Supervisory Veterinary Medical Officer (SVMO) brought to the attention of the Consumer Safety Inspector (CSI) the conditions observed in the swine holding pen in the barn. The floor of the holding pen was covered in liquid feces and all swine were covered in manure. The establishment considers all animals in the holding pens to be custom exempt until declared for federal inspection. Again, per USDA-FSIS Directive 5930.1 revision 4 the FMIA and HMSA applies to custom exempt animals. This continues a trend in humane handling observations related to custom exempt animals at the establishment.

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90	M44779	Faulkner Meats	VMV11060 92220G	20SEP2019	04C02	Livestock Humane Handling	Finalized	<p>Faulkner Meats (M44779) Taylorsville, KY engaged in federally inspected slaughter this day. The establishment considers all animals being held in the holding pens as being custom exempt animals until so declared for federal inspection. The Supervisory Veterinary Medical Officer (SVMO) made the following observations while performing the livestock Humane Handling Animal Tracking System (HATS) task at the establishment:</p> <p>1. At approximately 1200 hrs. EDT:</p> <p>a. A pen of lambs was observed with flooring covered in fecal material roughly 2 inches in depth, some areas wet, and no visible dry bedding.</p> <p>b. A pen of sheep and goats was observed with flooring covered in fecal material roughly 2 inches in depth, some areas wet, and no visible dry bedding.</p> <p>c. A pen of lambs was found to have one dead lamb present; a second lamb was found hanging by a horn entangled in the wire panel fencing attached to the gate--the lamb was lying lateral recumbent with its front end slightly elevated from the floor (hanging from the gate/wire panel.)</p> <p>2. At approximately 1230 hrs. EDT:</p> <p>a. While observing slaughter floor activity of the federally inspected animals a beef was found in the knock box.</p> <p>i. The beef was observed with its hindquarters facing the head gate of the knock box and an establishment employee was observed striking the beef in the head/face with the broom portion of a push broom to have the animal turn around. The SVMO inquired of available plant personnel if the animal was declared for federal inspection or custom exempt slaughter—plant personnel did not know.</p> <p>ii. The same individual above was observed kicking the beef in the hindquarters to have the animal turn around. (b)(6)</p>

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								<p>(b)(6) appeared on the kill floor and the SVMO inquired if the beef was declared for federal inspection or custom exempt slaughter—(b)(6) stated the animal was intended for custom exempt slaughter.</p> <p>iii. The same individual observed striking the beef in the head with the push broom and kicking it in the hindquarters was observed with a water hose running at full stream, first spraying the hindquarters (animal still not turning around in the knock box) then proceeding to spray the animal in the face/head. At that point the SVMO stopped the individual and instructed Kill Floor Supervisor Reed that the observed activity was not acceptable, understanding the animal was declared for custom exempt slaughter. The establishment is once again reminded that per FSIS Directive 5930.1 revision 4 the Federal Meat Inspection Act (FMIA) and the Humane Methods of Slaughter Act (HMSA) applies to custom exempt animals. The above observations were brought to the attention of (b)(6) (b)(6) who was likewise informed of the documentation of those observations.</p>

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15	M454+P49 88+V454	Owyhee Meat Company	HKD22060 90218G	18SEP2019	04C02	Livestock Humane Handling	Finalized	<p>Animal Handling Incident at Establishment M454: Date: 09/11/2019 Phone: (509)- 876- (b)(6)</p> <p>The following are the events that transpired on the specific dates and times documented down below and that are documented in my words to the best of my ability. On 09/11/2019, at approximately 1513 hours, while returning back into the kill floor, I (b)(6) heard an animal vocalizing loudly outside the knock box; I immediately proceeded to the door that leads outside the kill floor by the knock box. As I opened the door to investigate why the animal was vocalizing loudly, I observed the employee repeatedly jabbing the animal in the chute in the area between the flank and the rib area trying to force it to proceed forward. The animal reared its head back as he jabbed it with the hot shot. I told the employee to stop doing that and that he was only allowed to use the hot shot once and not as many times as he had done. Shortly after this, I saw (b)(6) coming out to the kill floor and proceeded outside, so I left the area to continue inspection in the kill floor. This concludes this chain of events. ----- At approximately 3:15pm on September 11, 2019, (b)(6) Blom, while entering the slaughter floor at Est. 454, heard a cow repeatedly vocalizing. She immediately went to the chute leading to the stunning area and observed (b)(6) (b)(6), repeatedly prodding a black beef cow that was balking at the entrance to the stunning area. The black beef cow continued to vocalize excessively. (b)(6) instructed (b)(6) (b)(6) to immediately stop prodding the cow. As I proceeded from the slaughter floor the cattle chute area I clearly heard the repeated vocalizations until (b)(6) intervened in the situation. I spoke with (b)(6) who oversees the driving cattle from the pens to the stunning area. He indicated to me that (b)(6) was not</p>

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								a slaughter floor employee and was not authorized to use the prod. (b)(6) was not present at the time the incident started. (b)(6) (b)(6) then allowed the black cow to back out of the chute and return to the pens. After my discussion with (b)(6) I returned to the slaughter floor and spoke to (b)(6) to gather further details of the incident. At 3:40PM I placed a US Rejected tag (B 30 665850) on the stunning area and informed (b)(6) that slaughter was immediately suspended based on the inhumane event. (b)(6)

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05	M45422+V 45422	Messina Meats	BEJ401108 0928G	28AUG2019	04C02	Livestock Humane Handling	Finalized	Date/Time of Inspection: August 28, 2019, 0430 to 0515 HATS I: Weather; Mild, 68 degrees, dry, covered pens are available for animals for protection from inclement weather HATS II: Truck Unloading; One farm trailer unloaded 3 market hogs, establishment employees moved them without incident HATS III: Water and Feed; Three pens of cattle had water and feed, one pen with 20 goats had water and feed HATS IV: Ante-Mortem Inspection; Employees drove market hogs from trailer to holding pen without excess discomfort or excitement. No disrepair observed in holding pens, alleyways HAT V: Suspect/Disabled Animals; No suspect or disabled animals on premises HAT VI: Electric Prods/Alternative Devices; No driving tools used to move hogs off trailers or into pens HATS VII: Slips and Falls; None observed HATS VIII: Stunning Effectiveness; No slaughter HATS IX: Consciousness on the Rail; No slaughter Conclusion: Based on the observations during this odd hour inspection I conclude that: There was no heavy equipment lying in the immediate pen area. There was also no evidence of animals skidding, dragging or any mistreatment of animals. I have determined, based on my observations, that the plant is compliant with humane handling regulations during my odd hour Humane Handling Inspection visit.
05	M45422+V 45422	Messina Meats	BEJ451608 0230G	30AUG2019	04C02	Livestock Humane Handling	Finalized	MOI for Odd hours goes here

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90	M46070+P 46070	Marble City Meats LLC	KLE441209 3609G	09SEP2019	04C02	Livestock Humane Handling	Finalized	<p>On Monday, September 9, 2019 at approximately 11:35am, while performing Humane Handling Task, (Category 8) on the last inspected animal of the day, (b)(6) observed establishment owner/ HACCP Coordinator Matthew Lawrence performing Stunning procedures on a Kune-kune pig over the age of two. Establishment uses a hand held captive bolt (HHCB) as their primary and secondary stunning method. On his first attempt it was ineffective. The owner immediately retrieved his backup HHCB, which was in arms reach resting on scalding machine, and immediately conducted the second attempt. The Second attempt was also ineffective, failing to render animal insensible. Owner reloaded the primary HHCB and issued the third attempt which was ineffective, again failing to render animal insensible. The owner reloaded backup HHCB and delivered the fourth attempt, again ineffective. The owner then retrieved a .22 Caliber Rifle from his from porch, approximately 200ft away. The first attempt with the rifle (5th overall) was also ineffective at rendering the animal insensible. Finally, On the second rifle attempt (6th overall) the animal was rendered insensible and remained so thereafter. (b)(6) (b)(6) tagged the knocking box with US REJECT Tag # B-45 308594, and contacted his immediate (b)(6).</p>

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90	M46070+P 46070	Marble City Meats LLC	KLE080909 3426G	26SEP2019	04C02	Livestock Humane Handling	Open	<p>Summary/Recommendation: The Following contains the Verification Plan for Marble City Meats, LLC. Establishment #M46070, Sylacauga, AL. All task's were observed and verified on 9/19/2019. The establishment did not conduct any inspected red meat slaughter operations outside the aforementioned date. Based on the plants adherence to their corrective action plan and regulatory compliance, I recommend the abeyance continue without any further action at this time. Handling of Livestock Issue/Action Plan: Verify that the establishment utilizes an SOP to not accept hogs with an "atypical head formation". Regulations: 9 CFR § 313.15(a)(1), 9 CFR § 313.16(a)(1), 9 CFR § 313.15(a)(3), 9 CFR § 313.16(a)(3) PHIS Task: HATS CATEGORY VIII (8) Findings: Based on my review of establishment records, establishment has implemented the SOP for animal type acceptability on 9/18/2019. The SOP for animal body type states (b)(4) (b)(4) Additionally, the SOP has (b)(4) (b)(4) Issue/Action Plan: Verify that the establishment maintains two (2) functioning hand held captive bolts (HHCB), and a third .22 rifle backup stun weapon, near the stun area, and during stunning operations. Regulations: 9 CFR § 313.15(a)(1), 9 CFR § 313.16(a)(1), 9 CFR § 313.15(a)(3), 9 CFR §, 313.16(a)(3) PHIS Task: HATS CATEGORY VIII (8) Findings: Based upon visual observation and record review on 9/19/2019, Establishment had 2 Functioning captive bolts as well as a third .22 rifle backup stun weapon near the stun area during stunning operation. The Establishment repaired and replaced the springs and the busheling in both HHCB as well as performed a dry test on all devices prior to start of slaughter operations. Establishment pre-op and operational logs as well</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>as their robust systematic approach paperwork have sections that indicate Primary, Secondary, and backup stun are present and in good working order in the room. Establishment affirms on their data log sheets that the said stun equipment is present in the room. Issue/Action Plan: Verify that the establishment, if necessary, upon need for a third stun to render an animal insensible, utilizes the .22 rifle for said third stun attempt. Regulations: 9 CFR § 313.16(a)(1), 9 CFR § 313.16(a)(3), 9 CFR § 313.16(b)(1)(ii) PHIS Task: HATS CATEGORY VIII (8) Findings: Based on visual observation, the establishment did not need to utilize the .22 rifle for a third stun attempt on 9/19/2019. Although the .22 rifle backup stun weapon was in slaughter room near the stun area loaded with safety on in gun case. Issue/Action Plan: Verify that the stun operators are trained and have successfully passed the establishment's test, prior to the stun operator being allowed to resume the actions of stunning. Regulations: 9 CFR § 313.15(b)(1)(iv), 9 CFR § 313.16(b)(1)(iv) PHIS Task: HATS CATEGORY VIII (8) Findings: Based upon my review of establishment Stunning training logs, Establishment stun operator & owner Matthew Lawrence successfully completed and passed all necessary retraining and testing of stunning effectiveness on 9/18/2019. His training included "strike zone and angle placement, wooden block testing, Humane handling and effective slaughter written test and weapons training." The training was witnessed and signed by (b)(6)</p> <p>(b)(6) Issue/Action Plan: Verify that the establishment has verifiable procedures for stun weapon cleaning, maintenance, and charge selection and usage. Regulations: 9 CFR § 313.15(b)(1)(iv), 9 CFR § 313.16(b)(1)(iv), 9 CFR § 313.15(b)(1)(ii), 9 CFR § 313.16(b)(1)(ii) PHIS Task: HATS CATEGORY VIII (8) Findings:</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>Based upon my review of Establishment records, Establishment created a SOP for Stunning weapon Maintenance and implemented SOP on 9/18/19. SOP state (b)(4)</p> <p>(b)(4) (b)(4)</p> <p>(b)(4)</p> <p>(b)(4) (b)(4)</p> <p>(b)(4)</p> <p>(b)(4) The Establishment documented on 9/18/2019 that they replaced springs and rubber busheling/chamber, cleaned and returned it back to operational standards. Issue/Action Plan: Verify that the establishment has provided and posted stunning "landmark charts" and that such are clearly posted in slaughter room and near stun area. Regulations: 9 CFR § 313.15(a)(1), 9 CFR § 313.16(a)(1), 9 CFR § 313.15(a)(3), 9 CFR § 313.16(a)(3), 9 CFR § 313.15(b)(1)(iv), 9 CFR § 313.16(b)(1)(iv) PHIS Task: HATS CATEGORY VIII (8) Findings: Based upon direct visual observation on 9/19/2019, Establishment placed two (2) landmark charts in the slaughter room near the knocking box. One chart is the procedures for Humane Euthanasia of Beef located on the wall near the scalding, while the other is the Anatomical site for Livestock Euthanasia located next to knocking box door. Both charts are from the (b)(4)</p> <p>The Charts are clearly posted and visible from any spot in the room. Inspection program personnel will perform the PHIS Inspection Task to verify the adequacy and effectiveness of the establishment's Humane Slaughter program including all procedures specified therein</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M46240	Light Hill Meats	MKE38110 71824G	24JUL2019	04C02	Livestock Humane Handling	Open	<p>At approximately 0810 hrs., (b)(6) observed one bull, weighing 1688 lbs., being loaded into the knock box at Light Hill Meats (est. 46240). Using .22 mag long rifle ammunition, the plant employee administered a first stun attempt and the animal subsequently exhibited sternal recumbency. (b)(6) checked dentition for validation of age. The plant employee administered a stick to the carotid artery, and in the process of severing the spinal cord without cutting it, the animal regained consciousness, vocalized, and stood on all four legs. It was noted that the first stun attempt was ineffective. At this time the employee went back to the table where the gun is kept, retrieved the gun, and administered a 2nd stun to the forehead rendering the animal unconscious. It remained unconscious and insensible to pain throughout shackling, sticking, and bleeding. The knocking box was immediately tagged with Reject tag# B37-373667. Plant manager Patrick McCord was notified of the regulatory control action. Light Hill Meats (est. 46240) is not currently operating under a Written Robust Systematic Approach to Humane Handling Plan.</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
80	M46877+P 46877	Seven Hills Abattoir	NOA13110 84526G	26AUG2019	04C02	Livestock Humane Handling	Finalized	<p>On August 26, 2019 at 10:00 AM, a meeting was held between plant owner, Ryan Ford, (b)(6) (b)(6), and (b)(6) to discuss the footing problems in the pen system. (b)(6) (b)(6) began the meeting by describing the historical issues in the pen system. December 2018, an NR was documented for poor footing in the pen system and knock box which led to cattle slipping and falling. The plant responded by trying to spread the cattle thinly over the large pen system and throwing down some sand. They also addressed the knock box issue with a rubber mat that has helped tremendously. In February 2019, (b)(6) visited for a routine humane handling review and also noted that cattle continued to slip and fall on the floors. (b)(6) documented in her report a meeting between her and plant manager, Dalton Mosser, discussing the need to fix footing in the pens. As a result, the plant placed down woven tire mats at strategic locations in the pen system where the cattle have to make 90-degree turns or typically slipped and fell. On (b)(6) humane handling visit last Thursday, August 22, 2019, 3 out of 12, or 25% of the cattle monitored during movement out of the pens and through the alleyways slipped or fell. The goal for slips and falls is between 1-2% so this level is way too high. The movement of the animals by establishment personnel is not the underlying cause of the slips and falls and is done proficiently and with minimal excitement. However, the majority of the animals handled in this facility are typical more high strung than those handled at a very small abattoir for individual customers. Possible solutions to the problem were discussed/proposed. Some of the potential solutions discussed were: grooving of the concrete (diagonal or crosshatch), placing woven tire mats throughout the pen system, cleaning less</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>frequently to allow build up of bedding, metal cleating adhered to the floor, covering the cement with a grip epoxy, or re-pouring a concrete floor with gravel/pebbles or metal strips protruding from the top surface to provide grip. (b)(6)</p> <p>(b)(6) also mentioned using the small plant help desk and colleagues within the abattoir and farming community as a resource for the plant to determine which option may best fit their situation. Mr. Ford was notified that this is a priority issue for the establishment and should be handled in a reasonable time frame. Mr. Ford stated that he is unsure of why this is a problem in his facility since it is constructed out of concrete, sturdy metal gates, and a replaced roof, along with being kept clean on a consistent basis.</p> <p>(b)(6) and (b)(6) explained that most of the issue lies in the footing- the concrete is sturdy but also has a smooth surface which becomes slick with water, urine, and feces. Most other facilities with concrete floors tend to have some sort of rough surface such as grooving or broom sweeping (not recommended since this wears down over time). Mr. Ford mentioned that all of the possible solutions may take some time since they are all big projects and may require more research, contractors, and testing in one or two pens. (b)(6) acknowledged that the possible solutions are major changes but the inspection program expects this issue to be taken seriously and actively worked on over the next few weeks. A potential solution should be proposed and in the stages of implementing within 3-4 weeks. It is understood that several different options may need to be tried prior to finding a working solution, but these need to be actively underway and cannot wait for several months before anything is done. (b)(6) also discussed the possibility of placing netting/covering along the walls of the pens so</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								that when the pen gate is opened, the cattle can easily view the exit and where to move instead of circling in the pens. This is also a potential partial solution but will not solve the larger issue of the flooring being too smooth. Mr. Ford indicated that he will begin working on the problem and keep (b)(6) updated with the establishment's research and progress. When no more questions were asked, (b)(6) thanked Mr. Ford for his time and the meeting was adjourned.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
05	M4969+P4 969	J J Meat Co.	JCO001508 2516G	16AUG2019	04C02	Livestock Humane Handling	Finalized	<p>On August 12, 2019 at approximately 1906 hours, (b)(6) observed two mis-fires of the power-knocker during multiple stun attempts when an establishment employee was euthanizing a bob veal calf for production. At approximately 1915 hours, I (b)(6) reviewed the establishments Humane Handling Maintenance records. I observed the last record for maintenance of the Power Knocker to have been recently dismantled and cleaned on 8/4/19, although no establishment employee initial was documented on the form. At approximately 1920 hours, Plant Manager Javier Juarez Jr. and I (b)(6) reviewed the previously acceptable penetration depth that was performed before the operation of slaughter for bob veal. Then, we reviewed the most recently performed acceptable penetration depth of the Power Knocker before resuming operations. After resuming operations, the bob veal was humanely stunned at approximately 1925 hours. USDA IPP continues to advise further continuation of maintaining HH Maintenance records to support their Humane Handling Program. Previously at JJ Meats, a humane handling suspension occurred on April 3, 2019 in which the plant stated it was due partially to equipment error. Described in the Verification Plan as: "The establishment conducted an internal review and concluded that a "combination of equipment and operator error occurred" and as such has (b)(4)". Corrective actions listed in the verification plan were: "The establishment updated the "JJ Meats Robust Humane Handling Program", dated April 4, 2018, and proffered to follow and implement all aspects of the program. Specifically, the establishment has included the following oversight procedures in the humane handling program: The Pen Foreman and Assistant Pen Foreman will ensure that daily preventive maintenance is documented. The plant</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>manager will verify on a monthly basis that the daily preventive maintenance is being documented." And: "'JJ Meats Robust Humane Handling Program Section 313.3 Stunning Methods-Mechanical Captive Bolt/Hantover Pneumatic Power Knocker" indicates that the</p> <p>(b)(4)</p> <p>(b)(4)</p> <p>"JJ Meat Company will ensure the Standard Operating Procedure (SOP) for Sanitation/Maintenance of Stunning devices is being implemented for the Hantover Power Knocker and the Jarvis Captive Bolt Stunner."</p>

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
05	M4969+P4 969	J J Meat Co.	JCO191409 2005G	05SEP2019	04C02	Livestock Humane Handling	Finalized	<p>Ineffective Stun MOI This MOI is to inform establishment of the conversation that occurred after an ineffective penetrative stun on a bob veal calf that did not render the animal unconscious immediately, on September 3, 2019. (b)(6)</p> <p>(b)(6) was approached by Plant Manager Javier Juarez Jr. regarding his understanding of their Humane Handling Program and how its implemented. Mr. Juarez Jr. stated due to JJ Meat Co. having a "Robust Humane Handling Program", it exempts them from USDA IPP tagging a knock box when a humane handling incident occurs, and it exempts them from USDA IPP issuing an NR when they do not produce an effective penetrative stun on the first attempt. I explained to Mr. Juarez Jr. that in order to have a "Robust Humane Handling Program" you must be implementing the program as written and that the program does not exempt the plant from the above examples provided by Mr. Juarez Jr. Per Directive 6900.2, if an establishment develops and implements a robust systematic approach to humane handling and slaughter (voluntary program), FSIS would consider this when determining enforcement actions following an egregious inhumane treatment event. An example provided to Mr. Juarez for a non-egregious act was if an animal received a 1st stun, and was not effective, the immediate corrective action is to immediately stun again producing an effective knock. This example is still considered a Humane Handling noncompliance with regulation 9 CFR 315.15(a)(1) using a captive bolt as the stunning method. An example provided for an egregious inhumane handling per Directive 6900.2 Rev. 2 is, "Multiple attempts, especially in the absence of immediate corrective measures, to stun an animal versus a single blow or shot that renders an animal immediately unconscious". With an Egregious Inhumane Handling event, the district</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>office can consider the following: Does the establishment have a written, proffered, and demonstrated "Robust" Systematic Humane Handling plan? Does the establishment have a good history of Humane Handling? Note that these examples provided are not all that is considered of whether an incident is recommended for a potential NOIE in lieu of immediate suspension without prior notification. Recently audited by (b)(6) on 8/14/19 the program was described as: The establishment operates in a systematic manner for humane handling and slaughter, and as a written animal welfare plan. As discussed in the exit meeting with (b)(6) "The program addresses most of the steps outlined in Federal Register Notice Docket No.04-013N, Humane Handling and Slaughter Requirements and the Merits of a Systematic Approach to Meet Such Requirements and follows some of the recommendations in Directive 6900.2 Rev. 2 Humane Handling and Slaughter of Livestock, Attachment 3; Elements of a Robust Systematic Approach to Humane Handling and Slaughter (page 32)." The program is not robust, as not all steps are addressed and the program has not been implemented as written, so the portions of the Directive involving consideration of robust status in the event that an egregious event occurs would not apply to this plant at this time.</p>

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15	M6173	Masami Foods, Inc.	CCC251808 4705G	05AUG2019	04C02	Livestock Humane Handling	Finalized	<p>On 08/05/2019 at 1045 hours, while observing truck unloading of 7 cattle from a livestock trailer, I observed one <30 month-old steer slipped onto both knees as it was leaving the trailer. The animal was able to quickly stand and walk to the holding pen with no apparent injury or lameness. None of these cattle were coaxed to get out of the trailer and they moved at a normal walking pace without being driven by an establishment employee. The lower edge of the stock trailer threshold distance to ground is over 12 inches. I verbally informed (b)(6) (b)(6) of the incident and he was also advised that a copy of this MOI has been sent to Denver District Office and to the (b)(6) (b)(6) was also informed that there is a potential for livestock injury which may result in a noncompliance record citing 9 CFR 313.1. I advised the establishment to make the necessary corrective actions to mitigate potential for slips and falls when unloading cattle from similar stock trailers.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
40	M7162	Preferred Beef Group	OFF201708 5803G	03AUG2019	04C02	Livestock Humane Handling	Finalized	<p>At approximately 1055 on August 2, 2019, (b)(6) and I observed a plant employee place a live calf (approximately less than a week old) into a metal crate so that the calf could be moved to another location. Once the cage door was closed, the calf jumped over the side of the crate onto the ground. Although the calf was not injured, the potential for injury existed. I immediately informed the livestock receiving (b)(6) about the incident that I witnessed. I informed him that this metal crate needed attention to keep an animal from being able to escape and possibly get injured. (b)(6) also told him this in Spanish so that there would not be any misunderstanding that the crate needed immediate attention. He stated that he would have it taken care of. The metal crate is approximately 4 ft long, 2 ft wide and 4 ft tall. The front gate has a wire panel that spans the entire gate. The sides and back of the crate only came up about 18 inches, thus having an opening of 2 ½ feet. At approximately 1250 on August 3, 2019, (b)(6) and I went to verify that the metal crate had been properly fixed to prevent any animal from escaping or injuring themselves. I immediately noticed that nothing had been done to the crate. The plant had also not placed any identifying device on the crate stating that this crate was not to be used until it was repaired. I placed US Reject Tag B-45009546 to the crate. I then notified General Manager Tanner Hopkins about my concerns and showed him the deficiencies with the metal crate. He immediately had maintenance repair the metal crate. At 1443, Mr. Hopkins asked me to look at the crate to see if the repairs to the crate were satisfactory. I determined that they were and released regulatory control. USDAs concerns are that the establishment is utilizing equipment that has the potential for serious injury to an animal. When</p>

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								the equipment is brought to their attention, the establishment is failing to ensure that this equipment is immediately repaired or tagged out in a fashion that it could not be used until it was repaired. USDA strongly urges the establishment to respond to this MOI since MOIs associated with Humane Handling are subject to the Freedom of Information Act.
25	M717+P19 051+V717	Smithfield Fresh Meats Corp.	TAE421409 3111G	11SEP2019	04C02	Livestock Humane Handling	Finalized	While performing ante-mortem inspection of pen 3 and 4, I observed water leaking from roof at the junction of the new/old roofs above a plugged in light bulb, the water was pouring into a pen with pigs in the space and water pooled on the ground. I immediately spoke with (b)(6) (b)(6) about getting power to this light bulb shut off until the leak stops/is fixed. He called maintenance and within 5 minutes, the light bulb was unplugged from its electrical source, removing potential for electrocution from the water leak.

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Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK2413072 711G	11JUL2019	04C02	Livestock Humane Handling	Finalized	<p>Upon arrival at 0700 hrs. EDT the Supervisory Veterinary Medical Officer (SVMO) observed at Harmon Bros. Meats (M7356) Warsaw, KY, a trailer backed-up to the animal unloading dock of the facility. The SVMO inquired of establishment owner Mr. Dave Harmon, if sheep would be slaughtered under USDA inspection this day; Mr. Harmon stated the establishment would begin with the two beef held over from a previous day being held in the holding pens. At approximately 0830 hrs. EDT, plant personnel informed the SVMO they were ready to unload the trailer. The SVMO brought to the attention of (b)(6) (b)(6), the fact that the sheep and goats observed on the trailer had been on the official premises for at least 90 minutes and that they had no access to water; in conversation with the transporter, he stated he arrived at the establishment between 0630-0645 hrs. EDT after a roughly 3-hour drive from the Columbus Ohio area. The transporter unloaded the trailer in the presence of the SVMO, Humane Handling Coordinator (HHC), the HACCP Coordinator, and the Office Manager for Harmon Bros. Meats. The SVMO observed two obviously lame sheep come off the trailer and be placed in the general population. After the trailer was unloaded by the transporter, the SVMO observed a mature sheep laying lateral recumbent and paddling (moribund) next to a side wall of the trailer. This observation was brought to the attention of the (b)(6) (b)(6). Shortly thereafter, the transporter acknowledged to the SVMO the sheep was down and proceeded to get into his truck and drive away from the unloading dock with the live moribund animal still on the trailer. Ms. Harmon stopped the transporter and told him to return to the unloading dock with his truck and trailer. The sheep was euthanized by the HHC. The proffered</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								<p>corrective actions resulting from a humane handling incident occurring in October 2018 states "Harmon Brothers Meats Inc. understands that animals are under the purview of our company at the point that the transportation vehicle turns onto the physical driveway and passes through the entrance gates to the property." Title 9 CFR 313.2(e) states in part that "animals shall have access to water in all holding pens". In conversation with Mr. Harmon, he communicated the awareness of the trailer being on the official premises and elected to begin the day by slaughtering the beef already present in the holding pens prior to unloading the trailer in a timely manner, ultimately leaving the animals on the trailer without access to water for approximately 2 hours in the "trailer" holding pen. Posted establishment policy at the livestock unloading dock states transporters are not allowed to assist in the unloading process. This statement was brought to the attention of Ms. Harmon. The proffered corrective actions states "The HHC will visibly inspect all livestock on trailers prior to unloading, rather they be destined for Federal, or Custom Slaughter." It continues by stating "The HHC will be looking for visible signs of injury" and that "Any injuries seen will be evaluated as to severity and best course of action will be determined to minimize animal suffering." The paragraph concludes "If the animal's injury is deemed of high severity the animal will be euthanized promptly following subsequent "down animal" procedures." The SVMO did not observe the HHC visibly inspect the livestock on the trailer. Plant personnel did not identify the non-ambulatory animal on the trailer. Neither was it observed or communicated by the transporter to plant personnel the presence of a non-ambulatory animal on the trailer. Likewise, the non-ambulatory animal was not euthanized in</p>

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								a "prompt" or timely manner. (b)(6) was informed of the forthcoming non-compliance record and MOI.
90	M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK2212075 718G	18JUL2019	04C02	Livestock Humane Handling	Finalized	The Supervisory Veterinary Medical Officer (SVMO) and Consumer Safety Inspector (CSI) were observing kill floor activity at Harmon Bros. Meats (M7356) Warsaw, KY at approximately 1215 hrs. EDT. After placing mature sheep in the knock box, kill floor personnel raised the side of the knock box and were observed grabbing an animal by the front leg thereby casting the animal to its side and proceeded to drag the conscious animal on its side for approximately 5 feet to the site where the ritual cut was made on the neck of the animal. This observation was brought to the attention of Mr. Dave Harmon, owner of the establishment, who was advised of the regulatory control action being taken with the placement of "U.S. Rejected" tag number B37427566 on the knock box by IPP. The chain of command for the Office of Field Operations (OFO) Jackson District was notified of the action taken at the establishment.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK3312073 619G	19JUL2019	04C02	Livestock Humane Handling	Finalized	<p>Harmon Bros. Meats (M7356) Warsaw, KY, while on suspension of federally inspected slaughter resulting from a humane handling incident occurring July 18, 2019, engaged in the slaughter of custom exempt animals this day. The Supervisory Veterinary Medical Officer (SVMO) made the following observations at approximately 1150 hrs. EDT while observing activity on the kill floor at the request of (b)(6) (b)(6) for the establishment: Three mature sheep were placed in the knock box by plant personnel; plant personnel raised the side of the knock box and without the benefit of restraint attempted to stun one of the sheep with the captive bolt device; in this attempted effort, the three sheep escaped from the knock box onto the kill floor and began to scamper about; plant personnel were able to apprehend one sheep as it attempted to exit the kill floor down the walk-way adjacent to the chute that leads to the knock box; plant personnel (2) restrained the sheep and the captive bolt device was fired after placing it on the skull of the animal; following the firing of the device, the sheep attempted to continue to exit the kill floor, remained upright, though going down on a knee(s) while still being somewhat restrained by plant personnel (conscious righting reflex, conscious eye tracking); a second shot from the captive bolt device did render the sheep insensible. An examination of skull, as (b)(6) (b)(6) thought the device misfired/jammed, revealed two holes in the skin of the skull; one hole in the skin on the top of head was such that it suggested the bolt struck the skull at an angle and did not penetrate the bone; the second hole in the skin was more rostral and coincided with a hole in the bone and penetration into the brain cavity. (b)(6) was advised this mis-stun and failure to render the sheep insensible with the first stunning attempt would be documented in a MOI.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								USDA-FSIS Directive 5930.1 revision 4 states the Humane Methods of Slaughter Act (HMSA) and the Federal Meat Inspection Act (FMIA) applies to custom exempt animals.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
90	M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK4410085 521G	21AUG2019	04C02	Livestock Humane Handling	Finalized	<p>The Supervisory Veterinary Medical Officer (SVMO) made the following observations at Harmon Bros. Meats (M7356) Warsaw, KY while performing the Livestock Humane Handling task at approximately 1100 hrs. EDT: Ø The whole shelled corn being offered as feed to animals held in the holding pens was observed to be heavily contaminated with fecal material in multiple pens; in one pen (custom exempt animals) the corn was so contaminated that it could barely be distinguished from fecal material. Ø In a holding pen housing lambs and goats, a lamb was observed to be ambulatory disabled; the lamb was obviously lame, carrying the left front limb, and in the opinion of the SVMO, appeared to be fused at the carpal joint in a 90-degree angle. According to the whiteboard attached to the pen, the animals were placed in the holding pen August 16, 2019. The above observations were brought to the attention of IPP (in-plant personnel) and (b)(6). (b)(6). As the animals were placed in the holding pen on Friday, the SVMO inquired as to why the animal in question was not considered "priority slaughter" on the day of delivery; the response received was the animal was not observed lame on Friday. The SVMO inquired as to why the animal was not segregated from the normal population; the response received again was the animal was not observed lame the morning of August 19, 2019. The HHC immediately had establishment personnel remove the fecal contaminated corn, clean the feed troughs and place fresh corn in the troughs. The ambulatory disabled lamb was slaughtered. The SVMO examined the carcass of the lamb; suspicion was confirmed in that the articular surface of the left carpal joint (knee) was angled roughly 90-degrees indicating the long-term position of the affected limb. The establishment</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								is reminded of 9 CFR 313.2(d)(1) which states in part that "(D)isabled animals and other animals unable to move shall be separated from normal ambulatory animals" and per the establishment's Humane Handling Workbook "(A)ny injuries seen will be evaluated as to severity and best course of action will be determined to minimize animal suffering. If the animal's injury is deemed by HHC to be of low severity the animal will be unloaded marked for priority slaughter of the day." Likewise from the Humane Handling Workbook, "Food and water troughs/buckets, will be inspected for cleanliness."
50	M85B	Swift Pork Company	GYM59230 70802G	02JUL2019	04C02	Livestock Humane Handling	Open	<p>On July 2, 2019 at approximately 17:50, while I was examining subject pigs in subject pen number 1 with (b)(6), I observed as he attempted to get two pigs up near the gate from the barn area. He attempted to several times with each pig to get the animals to rise, one only made it to a sitting position and the other refuse to rise at all. I observed as he left those hogs and directed his attention to hogs bunched on the other side of the pen and successfully got several of those hogs up on their feet and walking. One of those pigs then moved toward the pig laying down near the gate to the barn area, that had refused to rise earlier. The ambulatory hog stood over that disabled hog and then stepped on and over the down pig. (b)(6) then herded the walking pig away from the down pig. Shortly thereafter the decision was made to humanely euthanize the down pig due to its inability to rise. I then had a conversation with (b)(6) explaining that when hogs are disabled and unable to rise they should be separated from ambulatory hogs. I also informed (b)(6) that I would create an MOI documenting these events and our conversation.</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M85O+P17 775+V85O	Swift Pork Company	HEM49050 83301G	01AUG2019	04C02	Livestock Humane Handling	Finalized	<p>I talked with (b)(6) around 4:30am on July 31, 2019 about my concerns from 2 weeks ago about the misters. I told him that I had (b)(6) bring my concerns up and that something got lost in that because the establishments response was just that the misters are on a timer. I explained to (b)(6) that I've been here 8 years, I'm well aware that the misters are on a timer in the summer and it is set so that they are hardly off. My concern with the misters during the hot weather was that the valves were shut off. I explained that on July 18th, during one of the rounds of ante mortem in the middle of second shift I found 5 pens that had the overhead misters off. These pens all had hogs that were very stressed out, to the point that I refused to sign for the pen; one of these pens had been filled for 90 minutes. There is no reason for there to be hogs stressed to the heat that long. Also, during that same round I found 4 dead hogs in the pens I was inspecting. Normally I find a dead hog during ante mortem once every 4-8 weeks. With how hot it was during the week of July 15th I can't say the hogs died from the heat; but it raises concerns when considering the stressed out hogs in pens with the misters off combined with the amount of hogs that died within just a couple hours after arriving. I've seen some misters off this week, but it is cooler this week and the hogs appear comfortable so there is no issue. More attention needs to taken when there are stretches of real hot weather. Also, I did odd hour inspection Wednesday night (July 17th) and saw that the misters in pen 38 had barely any water coming out. When I checked the valve, the valve didn't even have a handle to try and open the valve more. I mentioned this to (b)(6). The hogs were resting comfortably at that time, but with the hot</p>

Table: MOIs in Response to FOIA2020-05

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								weather expected, he called maintenance out right away to fix it.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
25	M85O+P17 775+V85O	Swift Pork Company	HEM52000 94512G	12SEP2019	04C02	Livestock Humane Handling	Finalized	<p>Around 21:15 on 9/10/19 while doing HAT category 1V Ante Mortem Inspection I, (b)(6) was given a pen card to pen 8 that said that there were 106 hogs in the pen. The company's target head count in this pen is 105, although more hogs can be placed in it without overcrowding. When I got to the pen, I observed that at the near end of the pen the hogs were sitting so tightly that not only was there no space between them, some were on top of a few others laying down. At the far end of the pen there didn't appear to be much space either. There were some squealing noises coming from one of the hogs that had others on top of it, and since the pen next to it was empty; I entered that pen to try and help move the hogs to get them off the others. As I tried to do this I observed that there was extremely little to no space for the hogs to move around freely. I asked the stun tech operator who was with me to open the pen to count the hogs; we counted 159 hogs in the pen. There was a dead hog in the area that the anxious sounds were coming from, it was removed from the area. I immediately had the stun tech operator radio for (b)(6). (b)(6) He came out a little after 21:20 and he also got 159 when counting the pen and adding the removed dead hog. I notified him that I was going to be issuing a noncompliance for over crowding the pen. The back gate to the pen was left open to allow more space to the hogs while still providing water while the company figured out what happened. They split these hogs into 2 pens which were inspected and signed for the next time I went out to the barn. At 16:20 on 9/11/19 while doing HAT category IV Ante Mortem Inspection, (b)(6) came to explain what occurred the previous day. He said a ghost pen was added to pen 8; where the scale operator called for 19 head</p>

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								to fill the pen, but the counters filled a draft of 53 the first scale then 19 on the second. They only called in the scale of 19 as that was what was asked for; but when the scale operator signaled for the scale to be taken to the pen, both scales were taken instead of just the one. This is why all the other pens were correct, those 53 never were entered into the system. They were going to discipline the employee involved. Around 18:50 on 9/11/19 I informed (b)(6) that the documentation would be a MOI instead of a noncompliance. We discussed 9 CFR 313.2(e) and the requirement for all animals to have access to water, and how this could become an issue when the animals when the animals don't have enough room to move freely in the holding pen.

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
15	M889A+V8 89	J.F. O'Neill Packing Co. Inc.	DSC261507 5802G	02JUL2019	04C02	Livestock Humane Handling	Finalized	<p>HATS Category VIII Stunning Effectiveness At approximately 1005 hours, while verifying stunning operations at establishment 889A O'Neill Packing, I observed the following inhumane noncompliance. The establishment stun operator was attempting to stun a slightly fractious bovine. He tried to move the animal forward into the head catch of the stun box, but when the animal refused to move and turned its head towards the stun operator, he applied the hand-held captive bolt (HHCB) device to the head and fired. The HHCB device became lodged in the head and briefly removed from the stun operators control as the animal fell down and backwards. As the stun operator retrieved the HHCB device the animal emitted a short vocalization. The animal regained it's footing and began trying to escape the knock box. The stun operator vacated the slaughter floor. In order to ascertain what contact had been made with the animal, I moved towards the front of the stun box where I could clearly see the head. I saw the hole as well as blood smeared right nostril. I asked for three supervisors (b)(6), (b)(6), and (b)(6) to observe the event. (b)(6) was the first to arrive and I pointed out the hole in the animals skull. (b)(6) arrived next who I also pointed out the hole in the animals skull.. The stun operator returned with two HHCB devices. The stun operator spoke to (b)(6) about something that I could not hear. (b)(6) arrived next. The animal was still in the stun box completely ambulatory and sensible. The stun operator moved the animal into the head catch of the stun box. The stun operator applied a second stunning attempt, but there was no noise from the HHCB nor reaction from the animal. The HHCB device was reloaded and a third stun attempt was applied which</p>

Table: MOIs in Response to FOIA2020-05

Dist rict	EstNbr	EstName	MOINbr	Date	Task Code	TaskName	Status	MOI Agenda
								rendered the animal insensible. I verbally informed the establishment that stunning operations would cease, although the already stunned carcasses could be processed. U.S. Reject tag B42025027 was applied to the stun box. The Denver District Office was contacted through supervisory channels. Upon review of the dressed head, I observed two stun holes had penetrated the skull. (b)(6)
15	M969G	Swift Beef Company	NDH48180 92506G	06SEP2019	04C02	Livestock Humane Handling	Finalized	On September 4th, 2019, around 1930 (b)(6) was observing stunning effectiveness (HATS category VIII). He observed a beef move its head and blink after receiving a stun from a hand-held captive bolt stunning device. The establishment employee immediately administered a security stun. It was unclear if the animal was still fully sensible after the initial stun. Upon examination of the head post skinning, there were two knock holes in the skull: one hole was on the target and one hole was an inch below the target and to the left. On September 5th, 2019, (b)(6), and I met with plant manager, Zach Ireland, and discussed concerns with stunning accuracy and the potential for animals to remain sensible if employees are not accurate. Mr. Ireland acknowledged the concerns and will follow up with additional training for all employees responsible for the stunning of animals. (b)(6)

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA340 808380 9N-1	08/09/2019	04C02	Livestock Humane Handling	313.15 (b)(1)(i), 313.15(a)(2), 313.2	At 1440 a cow was loose on the harvest floor. It was determined through investigation the animal went through the restrainer without being knocked. This indicates the stunning area is not designed and constructed to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy as required by 9 CFR 313.15(b)(1)(iii). After the animal escaped the stunning area it ran throughout the harvest floor slipping and falling before exiting the establishment. the establishment attempted to return the animal to the unloading pen and failed to drive the animal with minimum excitement and discomfort to the animal as required by 9 CFR 312.2(a). The animal was driven around the parking lot and waste water treatment area for approximately one hour before it was rendered unconscious. The animal clearly showed signs of exhaustion and heat stress. Also, during this time, the animal sustained numerous visible injuries from running into and over various items. (b)(6) was notified of the noncompliance.	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA451 408570 9N-1	08/09/2019	04C02	Livestock Humane Handling	313.1	<p>9 CFR 313.1 Livestock pens, driveways and ramps. (a) Livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, splintered or broken planking, and unnecessary openings where the head, feet, or legs may be injured shall be repaired. At approximately 0625 while performing Ante-Mortem inspection, I observed the following noncompliance at Est. M332, FPL Food. A metal pen rail bar had become detached between Pen 9 and 10 and was protruding into Pen 10. Pens 10 and 9 both contained cattle. I immediately asked for a supervisor. Both pens of cattle were moved to pens that were in good repair. USDA Reject tags # B 37086364 and B 3708367 were placed on the gates of Pens 10 and 9 respectively as a regulatory control action. This is noncompliant with 9CFR 313.1 (b)(6)</p> <p>(b)(6) arrived and was notified of the noncompliance. He verbally assured me that Maintenance would repair bar. No cattle appeared to be injured.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA301 409311 7N-1	09/17/2019	04C02	Livestock Humane Handling	313.1	<p>9CFR 313.1 Livestock pens, driveways, and ramps. ".....Loose boards, splintered or broken planking, and unnecessary openings where the head, feet or legs may be injured shall be repaired." At approximately 1046 today while performing AnteMortem inspection on Pen 11 at M332 FPL Food, I noticed the following noncompliance: A downed non ambulatory disabled beef cow in Pen 12 had her rear leg through an opening in the cement riser between Pen 12 and Pen 13 with her hoof and pastern in Pen 13. The opening is approximately 10" high x 24" long. Pen 12 was empty except for she, and there were no cows in Pen 13. I immediately asked for a supervisor and took regulatory control action by tagging the pens with USDA Reject tags (#B 370 86360 for Pen 12 and # B370 86365 for Pen 13). FPL barn personnel were about to put cows in Pen 13 where they may have stepped on this cow. QA Supervisor Amy Wright came down to the Barn and I showed her the cow. The cow was knocked and bled. I removed the USDA tags. This is a noncompliance with 9CFR 313.1(a): "...Loose boards, splintered or broken planking, and unnecessary openings where the head, feet or legs may be injured shall be repaired."</p> <p>Establishment 332M FPL Food was noncompliant in that the opening between Pens 12 and 13 allowed a cow from Pen 12 to get her leg through it with her hoof in Pen 13.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA411 409572 ON-1	09/20/2019	04C02	Livestock Humane Handling	313.1	<p>9CFR 313.1(a) Livestock pens, driveways, and ramps shall be maintained in good repair. They shall be free of sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, splintered or broken planking and unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired. At approximately 12:05 PM today while performing AnteMortem Inspection I noticed the following noncompliance at Establishment 332 FPL Food.. A metal bar between Pens 7 and 8 was completely broken off, protruding into Pen 8 and creating an unnecessary opening (6 feet long x 2 feet high) , that in the opinion of the inspector, was large enough where the head, feet, or legs may be injured. Pen 7 contained cattle. Pen 8 contained no cattle. The establishment had done nothing to render Pen 8 unusable. I immediately asked for a supervisor. I took regulatory control and applied USDA Reject Tag # B 37 86359. Establishment personnel moved Pen 7's cows to another pen. (b)(6) arrived at the barn and I shower her the pens. This is a noncompliance with 9CFR 313.1(a):..."Loose boards, splintered or broken planking, and unnecessary openings where the head, feet, or legs may be injured shall be repaired. FPL Food Establishment M332 was noncompliant in that the broken bar: 1. Created an unnecessary opening between 2 pens where the head, feet, or legs may be injured and 2. Protruded into a pen where it could cause injury or pain to the animals. There was nothing to prevent establishment employees from putting cattle into Pen 8. The same occurrence of failure of the establishment to maintain the pens in good repair sufficient to prevent protruding rails which may cause injury or pain is documented on NR ACA 34514085709N/1 08/09/2019. The same occurrence of failure of the establishment to prevent unnecessary openings where the head,</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							feet, or legs may be injured is documented on NR ACA 3612091011N/1 dated 09/11/2019. There were no preventive measures documented or proposed or implemented for the previous mentioned noncompliances. The continued failure of the establishment to comply with regulatory requirements may result in further regulatory or administrative actions.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	ACA031 409012 6N-1	09/26/2019	04C02	Livestock Humane Handling	313.1	<p>9CFR 313(a) Livestock pens, driveways, and ramps shall be maintained in good repair. They shall be free of sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, splintered or broken planking and unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired. At approximately 1030 today while performing Ante Mortem Inspection, I noticed the following noncompliance at Establishment M332 FPL Food. Pen 5 contained no cattle. I was standing in it while performing inspections. Upon completion of inspections, I placed my right hand on the inside of the gate to push it outward for me to exit the pen. I experienced a sharp jab of pain and pulled my hand back. A 1" x ¼" rusty, sharp, spiked piece of sheet metal lining the top of the inside of the gate was protruding into the pen. It was at a height that would have exposed cattle put in the pen to possible pain or injury. Upon further investigation, there were numerous sharp rusty ridges along the top of the sheet metal. The establishment had done nothing to render the pen from being used to hold cattle. I immediately took regulatory control and applied USDA Reject tag # B 37 086358 to the gate. (b)(6) (b)(6), was in the (b)(6). I showed him the gate and told him I would be writing a noncompliance record. I immediately asked for a supervisor. (b)(6) came to the barn and looked at the gate. This is a noncompliance of 9CFR313.1(a): Livestock pens, driveways, and ramps shall be maintained in good repair. They shall be free of sharp or protruding objects.... FPL Food Establishment M332 was noncompliant in that a sharp rusty piece of metal was protruding into the pen which could cause pain or injury to the animals. There was nothing to prevent establishment employees from putting cattle into this pen. The same</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							occurrence of failure of the establishment to maintain the pens in good repair to prevent injury or pain to the animals is documented on NR ACA 4114095720 N/1 on 09/20/2019 and ACA 34514085709 N/1. The continued failure of the establishment to comply with regulatory regulations may result in further regulatory or administrative action.	
M482	St. Croix Abattoir	NAA22 090725 30N-1	07/30/2019	04C02	Livestock Humane Handling	313.2	<p>On July 30, 2019, upon arriving at the establishment at approximately 7:55 a.m., (b)(6) observed the animals in the ante mortem pens. (b)(6) observed that the water trough for the four sheep in pen 4 was empty, and the pen hadn't been cleaned yet, indicating no activity by the pen man. The water trough was completely empty; the four sheep had been put in the pen on July 29th. (b)(6) immediately notified (b)(6) of the noncompliance and informed him that this NR would be issued. The establishment failed to meet 9 CFR 313.2 (e): "Animals will have access to water in all holding pens..."</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M482	St. Croix Abattoir	NAA10 120949 11N-1	09/11/2019	04C02	Livestock Humane Handling	313.15 (b)(1)(i), 313.15(a)(1), 313.15(a)(3)	<p>On September 11, 2019, at approximately 9:40am, (b)(6) observed the knocking employee attempt to knock the fourth animal of the day, a mature sheep. The knocking employee used the captive bolt gun to knock the animal, but the stun was ineffective. The sheep was prone and attempting to stand. The knocking employee quickly obtained the back-up captive bolt gun and administered a second knock, which was effective in rendering the animal unconscious. (b)(6) notified (b)(6) of the noncompliance and informed him that a NR would be issued. Also on September 11, 2019, at approximately 9:55 am, (b)(6) was called to the knocking area by the back-up knocking employee. When she arrived at the knocking area, the knocking employee, (b)(6) informed (b)(6) that the 5th animal presented for slaughter, a mature sheep, had a raised scab on his head where the captive bolt would be placed for knocking. Therefore, (b)(6) (b)(6) would be administering a "security knock," which is not normal protocol at this establishment. (b)(6) agreed and stepped back. The knocking employee administered the first knock and immediately began to drag the animal over to the hoist, and the back-up knocking employee placed the back-up captive bolt into the bin. (b)(6) realized the animal was not properly stunned and went to get the back-up captive bolt. The selected gun (it is unknown by (b)(6) if it was the back-up captive bolt or the first spent captive bolt) did not fire, and just "clicked." (b)(6) grabbed the other captive bolt, but it too would not fire, it just "clicked." A second knock was finally applied and was effective in rendering the animal unconscious. (b)(6) was speaking with (b)(6) during the incident and was explaining what a security knock was, as (b)(6) is a new employee. The security knock was not</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>administered as stated. (b)(6) notified QC (b)(6) that this was another noncompliance and that a NR would be issued. (b)(6) obtained clarification from (b)(6) (b)(6), who stated the two incidents could be documented on a single NR. The firm failed to meet 9 CFR: 313.15 (a) (1): The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort. 313.15 (a) (3): Immediately after the stunning blow is delivered the animals shall be in a state of complete unconsciousness and remain in this condition throughout shackling, sticking, and bleeding. 313.15 (b) (1) (iv): The stunning operation is an exacting procedure and requires a welltrained and experienced operator. He must be able to accurately place the stunning instrument to produce immediate unconsciousness. He must use the correct detonating charge with regard to kind, breed, size, age, and sex of the animal to produce the desired results. (b)(6) reviewed the firm stunning log, which incorrectly documented that the 4th and 5th animals slaughtered were effectively stunned with one knock. The stunning log was modified as part of the firm's response to a Notice of Suspension and was to be used to accurately document stunning activities at the establishment. (b)(6) notified (b)(6) of the incorrect entries.</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M18079+P 27232	Smithfield Fresh Meats Corp.	VFB292 107131 9N-1	07/19/2019	04C02	Livestock Humane Handling	313.2	<p>On July 19th, 2019 at approximately 2124 while verifying HATs Category III – Water and Feed Availability, I observed the following noncompliance: Three hogs were left in the front section of the (b)(4) lane without access to water while the stick pen employees were away for lunch. I took regulatory control of the lane by applying USDA Rejected tag No. B41140195 and No. B41140198; one to the gate operation button and the other to the (b)(4). I notified (b)(6) (b)(6) and (b)(6) of the establishment's failure to comply with 9 CFR 313.2(e) which requires that water be available to livestock in all holding pens, and that animals held longer than 24 hours have access to feed. The establishment took immediate corrective action by providing the hogs with access to water. Furthermore, (b)(6) (b)(6) stated that the area employees would be re-trained on the matter as a preventive of future incidents. I removed both USDA Rejected tags and released regulatory control of the lane at approximately 2145.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M18079+P 27232	Smithfield Fresh Meats Corp.	VFB180 208090 1N-1	08/01/2019	04C02	Livestock Humane Handling	313.2	<p>At approximately 0050, on August 1, 2019 (July 31st production), while verifying HATs categories eight (stunning effectiveness) on the B-line shackle table, I observed (b)(6) (b)(6) to be working near the front (facing wet kill) of the (b)(4). I noticed that there were no hogs being dumped from the (b)(4), so I moved closer to gain a better view of the situation. When I arrived to the (b)(4) lane, I observed an excessive number of hogs in the immediate lane prior to the push gate. I then noticed that there was a hog lying in lateral recumbency directly adjacent to the (b)(4). At this time there were several hogs in the immediate area of the non-ambulatory animal. I then observed the mechanical gate push these hogs over the non-ambulatory animal. I called to (b)(6) and (b)(6) (b)(6) to notify them of my observations. (b)(6) (b)(6) proceeded to capture bolt the non-ambulatory animal. Immediate, official control was taken of the (b)(4) with retain U.S. Reject/Retain Tag No. B42199877. I notified (b)(6) (b)(6) of the non-compliance. The establishment determined that the cause was operator error and proceeded to provide the following preventative measures:</p> <div style="border: 1px solid black; padding: 10px; text-align: center;">(b)(4)</div> <p>(b)(4) (b)(6) also stated that the establishment would conduct training on the procedure with area employees. At approximately 0100, after the issue was resolved, I released regulatory control of the (b)(4).</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M18079+P 27232	Smithfield Fresh Meats Corp.	VFB001 609502 4N-1	09/24/2019	04C02	Livestock Humane Handling	313.1	While verifying HATS categories V and VII, I observed a metal shackle (used by the plant to suspend carcasses on the line) and a metal gate roller (used by the plant at the end of the automatic cut gates to prevent animals from being pinned between the wall and the gate) on the floor inside the B-side segregation pen near the butinas. There was one segregated animal in the pen at the time, and these items could cause an animal to trip and fall. I notified (b)(6) of the noncompliance. (b)(6) had the items immediately removed. As further planned actions, plant management stated they will retrain all employees in the butina areas for both lines and for both shifts in ensuring the segregation pens near the butinas are in good repair and free of any objects that may cause injury. Proposed completion of the training is 09/26/2019. Plant management will perform verification activities for one week after training to ensure the training was effective. There was no harm to the animal.	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M18079+P 27232	Smithfield Fresh Meats Corp.	VFB322 209292 6N-1	09/26/2019	04C02	Livestock Humane Handling	313.1	<p>At approximately 2110, while verifying HATs category V, both myself and (b)(6) (b)(6) observed a potential hazard in the B-side segregation pen located on the pond side, adjacent to the 2000 pen. The metal plate which had been used to cover the concrete portion of the outside wall had rusted and was in disrepair. The metal plate had sharp edges and had separated from the concrete wall resulting in an approximately 1" gap. Both the sharp metal edges and the gap between the plate and concrete wall could cause injury to an animal. There were several segregated hogs being held in the pen during this time. (b)(6)</p> <p>(b)(6) was notified of the noncompliance. (b)(6) instructed livestock personnel to remove the hogs from the pen. A US Rejected tag was placed on each gate (NO. B41140205 and NO. B41140197). (b)(6) notified maintenance personnel to repair the area. (b)(6) and I verified that adequate repairs had been made to the area. As further plan actions, maintenance personnel (b)(6) stated that further work will be done to the area to provide a more permanent fix. At approximately 0245, both US Rejected tags were removed. No animals were observed to be injured.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19697+P 19697+V19 697	Chaudhry Meat Company, Inc.	ZCA091 607020 8N-1	07/08/2019	04C02	Livestock Humane Handling	313.1	On 7/8/19 while conducting antemortem inspection at approximately 0945 hours accompanied by (b)(6) the following noncompliant condition was observed in the livestock pen area: Small section of metal pipe about 3 to 4 inches long at the bottom of gate with sharp protruding edges. The section of the pipe was hollowed out with edges bending inward and outward. The location of the damaged pipe could cause injury or pain to animals traveling down the alleyway to the knock box. This is noncompliance with 313.1 (a) of 9 CFR. Regulatory control action was taken and U.S. Retained tag No. B35200130 was used to reject the alleyway. (b)(6) was notified and shown the noncompliant condition. (b)(6) placed temporary covering over the damaged area until the area could be permanently repaired. (b)(6) removed the regulatory control action at 1015 hours after verifying adequate measures were in place to prevent injury to animals.	CLOSED
M20129	Custom Quality Packers, LLC	PHA571 007241 2N-1	07/12/2019	04C02	Livestock Humane Handling	313.1	While performing official inspection duties on Friday, July 12, 2019, the following noncompliance was observed: The separation gate between pens 4 and 5 have 3 broken rods (approx. 6-8" long) that have sharp ends on them; a broken rod (approx. 2" long) with a sharp end on it; the bottom of the pole near the water spout has a rusted support that has 3-4 sharp points on it. No regulatory control action was taken because no animals were observed to be injured given that pens 4 and 5 were empty. If animals were in the pens, they have the potential to be injured due to the sharp edges. (b)(6) was notified of the noncompliance and of the failure to meet regulatory requirement 313.1.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M20129	Custom Quality Packers, LLC	PHA461 208322 3N-1	08/23/2019	04C02	Livestock Humane Handling	313.1	While performing official inspection duties on Friday, August 23, 2019, the following noncompliance was observed: The drain in holding pen 1 has a gap that is approximately 12 inches long by 2 inches wide. Since no animals were observed to be injured (the pen was empty), no regulatory control action taken. (b)(6) (b)(6) was notified of the noncompliance and of the failure to meet regulatory requirement 313.1.	CLOSED
M4265+P4 265+V4265	Locust Grove Farm	XBA220 609321 2N-1	09/12/2019	04C02	Livestock Humane Handling	313.16(a)(1)	HAT CATORGY VIII At approximately 0715 on September 12, 2019 , while IIP was performing the stunning effectiveness of the livestock humane handling verification task, the establishment employee ineffectively stunned the animal using a .410 caliber shotgun. The gun failed to discharge when the trigger was pulled during the few second delay the animal looked up then the gun discharged placing the shot low. Kill floor employee observed the animal was still conscous and immediately reloaded and discharged the firearm again rendering the animal unconscious. IIP checked for consciousness and verified that the second stunning attempt was successful.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5439	Kleemeyer & Merkel Inc.	BQE521 308261 9N-1	08/19/2019	04C02	Livestock Humane Handling	313.1, 313.2	<p>On August 19, 2019 at 0700, I was performing the Humane Handling task for HATs Category II -Truck Unloading, where I verify the establishment's humane handling procedures during livestock unloading activities. During my inspection I observed the following noncompliance: The truck driver excessively prodding pigs with an electric prodder while yelling at the pigs to unload them faster from the belly of the livestock truck. This was forcing them to go faster than a walking pace and was causing unnecessary excitement of the pigs. I observed one barrow slip on the ramp leaving the truck. I immediately took regulatory control and stopped the unloading. When unloading was stopped, I then addressed the situation with management before any further unloading took place. The last two pigs and the final compartment of sheep and goats unloaded with out the handling problems and animals departed the vehicle at a walking pace. This occurred before the start of slaughter operations. A review of the establishment Humane Handling program Re-assessed on June 25, 2015, revealed truck driver was not following the establishments program. I informed establishment owner, Tim Nugent of the issue with Livestock Hauler Ackerman unloading at his establishment, the regulatory control action stopping the unloading of livestock, the noncompliance, and the failure to meet the Meat and Poultry regulations 9 CFR 313.1(b),313.2(a) and 313.2(b).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8547+V8 547	Champlain Beef Company Inc.	PRO211 307071 2N-1	07/12/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII – Stunning Effectiveness On July 12, 2019, at 1145 hours, a beef animal was loaded into the stun box for stunning with a pneumatic captive bolt. This was the last animal checked in for slaughter prior to the establishment lunch break. The beef was standing freely in the stun box. The designated establishment employee administered the first shot to the head of the beef animal with the pneumatic captive bolt. After this stun, the beef animal fell to the ground, however the animal was not rendered unconscious and immediately stood up, loudly bellowed and shook its head. At this time, IPP observed the bovine standing, vocalizing and shaking. The establishment employee attempted to use the pneumatic captive bolt to administer a second stun, however, the animal was too excited to successfully stun in this manner. The establishment employee obtained a hand held captive bolt in order to administer a second stun. It was at this time, that the animal stood calmly and stopped vocalizing. The establishment employee then administered a second and final shot which successfully rendered the animal unconscious. After sticking and bleeding, IPP observed two distinct stun holes the head of the bovine animal to verify that the animal had been hit twice. IPP instructed establishment management and employees to halt further slaughter operations. IPP tagged the stun chute, with U.S. Rejected tag #B37793496, to stop the slaughter process. IPP immediately contacted the (b)(6). After the DVMS consulted with the (b)(6) (b)(6) it was determined that this incident should be documented as a noncompliance report. Mr. Josh Cuomo, Plant Manager, was immediately notified of this noncompliance with 9 CFR 313.15(a)(1).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8547+V8 547	Champlain Beef Company Inc.	PRO071 607271 5N-1	07/15/2019	04C02	Livestock Humane Handling	313.1	HATS Category VII – Slips and Falls On July 15, 2019 at approximately 1640 hours, while observing establishment employees unload cull dairy cows from a standard gooseneck trailer, the following noncompliance was observed. While stepping down from the trailer, which was approximately 10 inches from the ground, the left hind leg of one weak dairy cow slipped near the edge of the trailer and the cow fell fully onto all four legs on the ground behind the trailer. IPP observed that the bedding of the trailer was wet and visibly slick. Both the (b)(6) and (b)(6) were both immediately verbally notified of this noncompliance with 9 CFR 313.1(b).	CLOSED
M8855+P8 855	Wilson Beef Farms LLC	XIA520 808111 4N-1	08/14/2019	04C02	Livestock Humane Handling	313.16(a)(1)	Livestock Humane Handling HATS Category VIII Stunning Effectiveness 9 CFR 313.16(a)(1) On Wednesday, August 14, 2019 at approximately 8:15am, while observing beef stunning, the following noncompliance occurred: (b)(6) (b)(6) was in the designated safe area, the offal room, when the first stun attempt was made by (b)(6) using a .22 magnum rifle. Immediately after the first shot, CSI Forzisi returned to the slaughter floor and observed the beef that was restrained in the headlock, remained conscious after the first stun attempt and fought to keep standing. (b)(6) (b)(6) determined the animal was not unconscious and he reloaded the .22 rifle and shot the beef. The beef was then immediately rendered unconscious. At no time did the beef vocalize. (b)(6) was notified of the above non-compliance. The establishment is in non-compliance for failure to meet the regulatory requirement of 9 CFR 313.16(a)(1). A review of the NRs for the past 90 days revealed no NRs were issued for humane handling.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M18894	Shirk's Meats	VUA410 608141 6N-1	08/16/2019	04C02	Livestock Humane Handling	313.1	HAT category III water and feed availability On August 16, 2019 at about 0700 while performing ante mortem I, (b)(6), observed the pigs located in the rear pens had no water available. There were buckets and containers located in the pens, but they were empty and dry. I informed the owner Luke Shirk and (b)(6) of this violation. I was informed by Titus that he needed room to move an agitated beef, so as soon as he moves the beef, the pigs currently located in the rear pens and the new arrival in the entrance area will be moved and given water. Per regulations animals must have water available at all times so this is a violation of 9CFR 313.1	CLOSED
M19989+V 19989	Ward Willard & Son	HMH59 080945 10N-1	09/10/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS category VIII On Tuesday September 10 2019 while conducting humane handling at 9:45 am (b)(6) observed that the captive bolt failed to render a hog unconscious. A follow up shot was done immediately by using a 22 magnum rifle which rendered the hog unconscious. At 10:35 am I observed the captive bolt fail to render a hog unconscious and a 22 magnum rifle was used to immediately render the hog unconscious. I placed a USDA Reject tag #B24778414 on the captive bolt. This is a violation of Regulation 313.15(a)(1). Mr. John Willard, plant manager was notified of the non-compliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5300	Rhode Island Beef & Veal Inc.	VEL2411071510N-1	07/10/2019	04C02	Livestock Humane Handling	313.1	HATS Category IV-Ante-mortem Inspection On 7/10/19 at approximately 0830 while conducting ante-mortem inspection the following non-compliance was observed. In the left indoor holding pen, there is an open, uncovered drain, approximately 8 inches in diameter and 8 inches deep in the middle of the pen. At the time approximately 100 sheep and goat along with 2 bovine were being held in the pen. The kill floor lead was notified of this finding. All animal was removed to a separate pen and A U.S. Rejected Tag number: B42155763, B42155762 and B42155764 have been applied on the doorway. The establishment failed to comply with 9 CFR 313.1. This NR is linked to VEL1609062504N issued on 6/4/19.	CLOSED
M5300	Rhode Island Beef & Veal Inc.	VEL3710070011N-1	07/11/2019	04C02	Livestock Humane Handling	313.1	HATS Category VII Observations for Slips and Falls On 7/10/19 at approximately 0840 while conducting observations for slips and falls with the DVMS during his 60-day HHVV, the following non-compliance was observed. A goat in the chute was shackled, it slipped on its left side and recovered on its frontal leg. The plant places the rope shackle on the animal's leg in the beef stun area and then pulls the animal by the shackle about 10-15 feet to the area where the animal is lifted and hung for positioning for the ritual cut. The DVMS later observed a second animal slip and fall in a similar manner during his visit. This was two animals out of the 30 observed that slipped or fell in this manner due to the handling of them in this manner by the plant.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5300	Rhode Island Beef & Veal Inc.	VEL0616075316N-1	07/16/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness On 7/16/19 at approximately 1532 while observing the slaughter of beef cow the following noncompliance as observed: The employee performing the stunning applied the captive bolt stunner to the head of a beef cow and shot it with a captive bolt stun gun. The beef cow remained on its feet, moved its head left and right, but was not vocalizing. The employee immediately loaded up the captive bolt gun and applied a second, successful stun which rendered the beef cow unconscious. (b)(6) was notified of this noncompliance and with this notice. No regulatory control action was taken due to the immediate action by the employee.	CLOSED
M5300	Rhode Island Beef & Veal Inc.	VEL2810095710N-1	09/10/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness On 9/10/19 at approximately 0845 hours while performing the Livestock Humane Handling Task the following noncompliance was observed. The contact-fired captive bolt was applied to the head of the steer. The steer moved his head and although the captive bolt penetrated the skull, the steer remained conscious. Blood was visible from the nares. The steer remained on its feet, moved its head a couple of times, and moved back and forth in the chute a couple of times. The contact-fired captive bolt was immediately reloaded and a second, successful stun rendered the steer unconscious. (b)(6) (b)(6) was notified of this noncompliance. The establishment failed to comply with 9 CFR 313.15(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5300	Rhode Island Beef & Veal Inc.	VEL281 509393 ON-1	09/30/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness On 9/30/19 at approximately 1444, while observing the stunning of a bovine, the following noncompliance was observed: The employee performing the stunning applied the impact activated style captive bolt to the head of the bovine. The animal was hit in the head with the impact activated captive bolt, but it did not fire. The mis-stun startled the bovine because it immediately jumped up and turned around in the alleyway. The employee immediately reloaded the captive bolt gun and applied a second, successful shot which rendered the animal unconscious. This is a noncompliance with 9CFR 313.15 (a)(1). The establishment failed to render the bovine unconscious due to the pressure triggered captive bolt not firing when hit against the bovine's head causing visible excitement to the animal evident by its reaction. Mr. Michael Quattrucci, Owner was notified of this noncompliance verbally and with this notice. No regulatory control action was taken due to the immediate action by the employee.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M5497+V5497	Adams Farm Slaughterhouse LLC	FWJ3610072201N-1	07/01/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Humane Handling Category VIII: Stunning Effectiveness This morning, at approximately 11:00am, while observing the slaughter of cattle to ensure acceptable humane stunning methods, the following noncompliance was observed by the food inspector: A beef cow was present in the kill box with a halter head restraint. The employee performing the stunning applied the captive bolt stun gun to the appropriate anatomical region and shot it. The animal remained conscious as evidenced by the animal remaining standing and moving her head. Using the loaded back-up captive bolt stunner, the same employee immediately applied an effective shot which was successful in rendering the animal unconscious. This is in noncompliance with 9CFR 313.15(a)1. Ed Maltby, General Manager, was notified of the noncompliance and that a noncompliance record would be generated to reflect this finding.	CLOSED
M6354+P6354+V6354	E.L. Blood & Son, Inc.	BNH1510071631N-1	07/31/2019	04C02	Livestock Humane Handling	313.16(a)(1)	Humane Handling Category VIII: Stunning Effectiveness On July 31, at approximately 0945, while observing the slaughter of beef cattle to ensure acceptable humane stunning methods, the following noncompliance was observed: The employee performing the stunning aimed at the steer in a livestock trailer with a .30-30 rifle at the appropriate stunning area and shot it. At that time, the steer moved its head and the shot was ineffective. The steer remained on its feet, looking around, and moving on the trailer. The employee immediately applied a second shot to the steer which was successful in rendering the animal unconscious. This is noncompliant with 9CFR 313.16(a)1. Mr. Richard Blood, establishment owner, was notified of this noncompliance verbally and with this notice. No regulatory control action was taken due to the immediate action by the employee.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45790	3282 Beaver Meadow Road LLC	BJL500 907290 8N-1	07/08/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III- Availability of food and water</p> <p>At 10:35 am, the PHV entered the pens to observe humane handling of livestock. There were 8 sheep observed in the jug, adjacent to the kill chute. No water or water receptacle was present in the pen with the sheep. A water container was outside the pen, but it was completely dry and dusty and clearly had not contained water recently. Slaughter personnel were taking a break at that time, and had been on break for about 20 minutes; it was unclear how long the sheep had been in the jug prior to that time. IPP notified (b)(6) about the noncompliance, and he immediately corrected the deficiency by providing water to the animals. This is a noncompliance with 9 CFR 313.2 (e), which requires that livestock have access to water at all times.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45790	3282 Beaver Meadow Road LLC	BJL390 807042 9N-1	07/29/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III- Availability of food and water</p> <p>At 8:50 am, the PHV entered the pens to observe livestock and pen conditions. 4 sheep were present in the jug, directly adjacent to the kill chute, with no water. The water receptacle normally present in the jug was upside down outside the pen, completely dry with dusty debris within. Ambient temperatures were warm (in the low 80s) with temperatures expected to approach 90F by afternoon. The sheep were observed to have an elevated respiratory rate at rest, although they also had evidence of mild respiratory disease (occasional cough and slight nasal discharge). The PHV completed observations of the other pens and left the pen area to investigate how long the sheep had been present in the pen with no water. On the kill floor, 5 previous sheep had already been killed and all 3 plant personnel were busy skinning and eviscerating. After some investigation, the PHV determined that antemortem had been performed at 8 am in a pen with an automatic waterer. The sheep had been moved up into the jug following antemortem, between 8 and 8:30 am. At 9:15 am the PHV returned to the pens and observed the establishment employee giving the sheep water, after being informed of the situation by IPP. The sheep immediately came up to the water pail to drink. This is a noncompliance with 9 CFR 313.2 (e), which states that animals shall have access to water. A similar noncompliance was documented on 07/08/2019, when a group of lambs were also being held in the jug with no access to water. The establishment immediately corrected the situation in both instances when notified, but has failed to prevent recurrence. Establishment employees (b)(6) and (b)(6) and (b)(6) were notified of the noncompliance verbally and in writing with this document.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45790	3282 Beaver Meadow Road LLC	BJL1910081508N-1	08/08/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 8:45 am on 08/08/19, while performing a routine humane handling task and verifying HATS Category VIII – Stunning Effectiveness, the following non-compliance was observed: IPP and (b)(6) observed establishment manager Mr. Matt Shumway attempt to stun a sheep. We were located on the kill floor approximately 10 feet from the kill chute and had a clear and unobstructed view of the stunning area. Mr. Shumway's first attempt to stun the sheep with a captive bolt did not effectively render the animal unconscious, as immediately following the attempt the animal remained standing. Mr. Shumway took immediate corrective action by reloading the captive bolt and applied a second stun. Following the second stunning attempt IPP and (b)(6) observed the sheep for signs of sensibility and concluded the animal was completely unconscious. Mr. Shumway checked the animal for signs of sensibility before continuing the slaughter process. The animal remained fully unconscious throughout shackling and bleeding. This is a non-compliance with 313.15(a)(1). Regulatory control action was not taken since Mr. Shumway had a second captive bolt shell ready to use when immediate corrective action was needed. Mr. Shumway was verbally notified of the non-compliance. Mr. Frasier Walsh and Mr. Matt Shumway were notified in writing with this non-compliance record.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9428+P9 428	East Conway Beef & Pork Processing	XML10 110856 13N-1	08/13/2019	04C02	Livestock Humane Handling	313.2	On August 13, 2019 at approximately 9:15 am, CSI observed the following noncompliance while conducting a Livestock Humane Handling water verification task. CSI found that in pens 2 & 3 the automatic waterers were not on, there were 8 sheep in the combined pens without water. In pen # 4 there was one swine without an automatic waterer and without a bucket for water thus having no access to water. An establishment employee turned on the automatic waterers in pens 2 & 3 and placed a bucket with water in it in pen # 4. This is noncompliant with 9 CFR 313.2 (e) I verbally and in writing notified Craig Robinson of the noncompliance. I reviewed PHIS and did not find any similar noncompliance in the last 90 days.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1664+P1 9846+V166 4	Kah and Company Incorporated	NPN18 090702 31N-1	07/31/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On July 30, 2019 at approximately 0720 hours while verifying HATS category VIII- Stunning Effectiveness of cattle at establishment M1664, Kah Meats, Inc. (b)(6) observed the following noncompliance: -A steer of small size was brought to the knock box for stunning. The captive bolt operator had difficulty maneuvering the animal from the pen to the knock box, the animal was overly anxious and extremely jumpy. After entering the knock box, the animal was still anxious and attempting to move around in the knock box. The head catch was used on this animal, but the operator had difficulty keeping the animal in the head catch due to its size. The animal was small enough when it pulled hard enough its head would come out of the head catch. When the operator deployed the captive bolt the animal remained standing and jerked its head back hard enough to pull out of the head catch and vocalized once and began jumping. The operator obtained the back-up captive bolt, which was at the knock box platform, and coaxed the animal back into the head catch and deployed a second shot. The operator's second attempt at stunning was successful at rendering the animal unconscious. The skull was examined by (b)(6) (b)(6) and it was noted that both attempts at stunning made contact with the animal's skull. Owner/Operator Kris Kah, and Manager, Donnie Kah, were notified about the humane handling noncompliance. -There was a noncompliance of humane handling on June 12, 2019, noncompliance number (NPN4408060913N/1), this was a failed stunning attempt using a hand-held captive bolt gun on a steer. This is noncompliant with 9 CFR 313.15(a)(1).</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6785	Bob Evans Farms Inc.	NRL131 108192 2N-1	08/22/2019	04C02	Livestock Humane Handling	313.2	<p>On 8/22/2019 at approximately 7:30am while performing the livestock humane handling task by observing truck unloading of the sows, I, (b)(5) observed the following non-compliance. As I was observing the truck driver unload a load from Mt. Olive, the sows were initially walking to the end of the trailer, and about a foot away from the ramp to the entrance of the barn, I observed the truck driver continue to swing the paddle and paddle three sows adding excessive excitement and caused them run down the ramp into the entrance of the barn. Once I observed this non-compliance I asked for the truck driver not to continue to paddle and excite the sows to the point of where they move faster than a walk. I also informed the plant employee. At approximately 8:00 am I informed the (b)(5) of my observation and informed him that the establishment would receive a non-compliance record. The above described non-compliant action is in direction violation of Regulation 313.2 (a) Driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals. Livestock shall not be forced to move faster than a normal walking speed. This document serves as a written notification that continued failure to meet regulatory requirements can lead to enforcement action as described in 9 CFR Part 500.4</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK3608 071611 N-1	07/11/2019	04C02	Livestock Humane Handling	313.2	<p>The (b)(6) made the following observation at Harmon Bros. Meats(M7356) Warsaw, KY: A trailer containing sheep and goats was observed at approximately 0830 hrs. EDT without access to water. The trailer arrived on the official premises between 0630 and 0645 hrs. EDT. Title 9 CFR 313.2(e) states in part that "Animals shall have access to water in all holding pens"; the trailer was being used as a holding pen by the establishment based upon the time entering the official premises and the time of unloading the trailer. Additionally, plant personnel stated an intent to hold the animals on the trailer while slaughtering animals already unloaded, despite awareness of the animals being held for the extended period on the regulated premises, without access to water. (b)(6)</p> <p>(b)(6) was informed of this observation and the forthcoming non-compliance record.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK5607 075516 N-1	07/15/2019	04C02	Livestock Humane Handling	313.1, 313.2	<p>On July 15, 2019 at approximately 0837 hours at Establishment # 7356 Harmon Brothers Meats I observed the following noncompliance while doing a Humane Handling task as listed below:</p> <p>1) Any injured, body discrepancy, and/or poor weak body conditioned livestock are classified priority slaughtered animals. All priority animals are put into the kill chute at the beginning of the slaughter day. a) First priority was a lamb with a front broke leg. According to the establishment's plan all small ruminants (sheep/lambs, goats) will be handling by arms around the body and chest of each animal during their slaughtering procedures, but the lamb was removed from the kill chute by the back leg and pulled from the chute. Inspector stopped slaughter personnel immediately and were told to reposition their arms and hands to cradle the injured lamb preventing any further pain or injury prior to slaughtering him. b) Back animal pens are to be kept clean. Pens with prior usage are to be cleaned prior to new animals being introduced to that pen. Cow pen #2 was left filthy with cow manure, foul-smelling urine and stagnant water pooled on one side of the pen since Friday, 7/12. This type of filth will attract insects, rodents and introduce rancid odors into the establishment. Reject Tag # B37427567 placed on pen. Cleaned at the end of the day. Released at 1513 hours. Rachael and David Harmon, Owner and HACCP Coordinator were both notified of the noncompliance's observed. HACCP Coordinator will do retraining on the handling of injured livestock and ensure the pens are cleaned after usage. Noncompliance's according to their Verification Plan and the Regulations 9 CFR 313.1 & 313.2.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK3309 083701 N-1	08/01/2019	04C02	Livestock Humane Handling	313.2	HATS category III: water and feed availability HATS category V: suspect and disabled The (b)(6) made the following observations at Harmon Bros. Meats (M7356) Warsaw, KY while performing the Livestock Humane Handling task: At approximately 0900 hrs. EDT 4 mature sheep/lambs and 1 goat were found in the alley way of the barn without access to water; no visible containers for holding water were observed in the alley. Of the 4 mature sheep/lambs, one was obviously ambulatory disabled (walking on three limbs), yet it was not separated from the other animals to protect it from possible further injury. These observations were brought to the attention of HACCP Coordinator Rachel Harmon, who was likewise informed of the forthcoming documentation of the non-compliance. Title 9 CFR 313.2(d)(1) states in part that "(D)isabled animals and other animals unable to move shall be separated from normal ambulatory animals", while 9 CFR 313.2(e) states in part that "(A)nimals shall have access to water in all holding pens".	CLOSED
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK4217 084802 N-1	08/02/2019	04C02	Livestock Humane Handling	313.2	HATS category III: water and feed availability The (b)(6) (b)(6) made the following observation at Harmon Bros. Meats (M7356) Warsaw, KY while performing the Livestock Humane Handling task: At approximately 1500 hrs. EDT market swine present in the holding pens were observed without access to water; the water trough was somewhat out in the pen and empty at the time of observation. (b)(6) (b)(6) was informed of this observation. (b)(6) was likewise informed of the non-compliance and forthcoming documentation.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7356+P7 356+V7356	Harmon Brothers Meats, Inc.	IJK5406 094323 N-1	09/23/2019	04C02	Livestock Humane Handling	313.2	<p>HATS category III: water and feed availability</p> <p>The (b)(6) made the following observations while performing an off-hours inspection of the holding pens at Harmon Bros. Meats (M7356) Warsaw, KY: At approximately 1330 hrs. EDT on Sunday September 22, 2019 pen #6 containing 26 market swine/sows was observed without water access; the black water trough in the pen was found empty and dry; the small metal trough had a market swine occupying its entirety and no water. Any water present in the other swine pens was found brown/contaminated with fecal material. As the establishment was closed, no member of management was available to inform of the observations and forthcoming non-compliance record. Title 9 CFR 313.2(e) states "Animals shall have access to water in all holding pens" and is the basis for the non-compliance. Pursuant to plant management's communication to USDA/FSIS/OFO personnel, during a site meeting on September 17, 2019, the establishment management considers all animals delivered and held on premises to be federally inspected animals.</p>	OPEN
M7429+P7 429	Hampton Meat Processing Co., Inc.	IPE0111 090126 N-1	09/26/2019	04C02	Livestock Humane Handling	313.2(f)	<p>HATS Category VIII - Stunning Effectiveness On September 26, 2019, at 10:46 hours, while performing the Humane Handling Task, I observed an incident at Hampton Meats in which a single attempt with a captive bolt delivered to a heifer did not produce immediate unconsciousness. The animal remained standing after the first attempt and alert, with blood coming from the wound at the base of the left ear. A second stun was delivered as soon as possible and effectively rendered the animal unconscious. The stunning area was immediately Rejected using U.S. Retain Tag B19322098 and the Plant Supervisor, Mr. Hunter Galloway, was notified of the noncompliance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7464+P7 464	F.B. Purnell Sausage Co., Inc.	CMN09 070943 05N-1	09/05/2019	04C02	Livestock Humane Handling	313.2	HATS category III: water and feed availability The Supervisory Veterinary Medical Officer (SVMO) made the following observation while performing the livestock Humane Handling Animal Tracking System (HATS) task at Purnell Sausage Co. (M7464) Simpsonville, KY: At approximately 0730 hrs. EDT pen 1/2 was found to hold 89 sows that arrived at the establishment at approximately 0630 hrs. EDT the previous day (September 4, 2019). This observation was brought to the attention of (b)(6); I inquired if the sows had been fed as they had been held over 24 hours. (b)(6) could not verify the animals had been fed. Per 9 CFR 313.2(e) "Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed." Likewise, (b)(6) was advised of the forthcoming non-compliance record.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8078+P8 078+V8078	Boone's Abattoir, Inc.	APM46 170945 05N-1	09/05/2019	04C02	Livestock Humane Handling	313.2	<p>HATS category III: water and feed availability The Supervisory Veterinary Medical Officer (SVMO) made the following observations while performing the livestock Humane Handling Activities Tracking System (HATS) task at Boone's Abattoir (M8078) Bardstown, KY: At approximately 1300 hrs. EDT,</p> <ul style="list-style-type: none"> Upon entering the holding facilities, a pen of 4 market swine were found to be without water access; the water supply line (hose) was positioned in such a manner as to prevent water from flowing into the trough present in the pen Upon walking onto the kill floor, 2 market swine were found lying in the knock box; no visible means of providing water access was observed. When questioned, in-plant personnel (IPP) stated the animals had been in the knock box since the beginning of the lunch break, approximately one hour prior to the time of observation. Per 9 CFR 313.2(e) "Animals shall have access to water in all holding pens." (b)(6) <p>(b)(6) and establishment owner Luel Boone were made aware of the above observations and the forthcoming non-compliance record.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8078+P8 078+V8078	Boone's Abattoir, Inc.	APM47 160958 26N-1	09/26/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>HATS category VIII: stunning effectiveness The</p> <p>(b)(6)</p> <p>(b)(6) made the</p> <p>following observation while performing the livestock Humane Handling Activities Tracking System (HATS) task at Boone's Abattoir (M8078) Bardstown, KY: At approximately 1050 hrs. EDT a mature sheep was placed in the knock box. An establishment employee placed the hand-held captive bolt device (CBD) to the top of the skull and fired; the ewe was observed in an upright sitting position (conscious righting reflex) and looking about (conscious eye-tracking) with blood trickling from the nares following the firing of the weapon. The establishment employee immediately reloaded the CBD and fired a second time; the second attempt rendered the ewe insensible. Title 9 CFR 313.15(a)(1) states "The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness" and 9 CFR 313.15(a)(3) states "Immediately after the stunning blow is delivered the animals shall be in a state of complete unconsciousness". Mr. Jerry Boone, establishment owner, was informed of the above observation and the forthcoming non-compliance record. The establishment is currently without a Robust Systematic Approach (RSA) to Humane Handling program.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8082+P8082	Kirby & Poe Slaughterhouse	EXA2707083901N-1	07/31/2019	04C02	Livestock Humane Handling	313.16(a)(1)	HATS VIII - Stunning Effectiveness On July 31, at approximately 7:05 am, while performing the Humane Handling Task, I observed an incident in which a single shot with a .357/.38 rifle using .38 caliber shells delivered to a market swine did not produce immediate unconsciousness as required by 9 CFR 313.16(a)(1). A second gunshot was delivered as soon as possible from the same rifle and effectively rendered the animal unconscious. Owner/Operator Cindy Poe and J T Poe were aware of the humane handling noncompliance and the issuance of this Noncompliance Record. This establishment has a Robust Systematic Approach to Humane Handling program.	CLOSED
M4271+P4271+V4271	GREISE BROTHERS PACKING INC.	CZF5510072326N-1	07/25/2019	04C02	Livestock Humane Handling	313.2	HATS Category III: Handling of Livestock; 9CFR 313.2(e), On 7/25/19, I (b)(6) at approximately 1100 hours after the slaughter floor supervisor had left for the day, I observed the following, Pen # 5 which has one dairy cow and two sheep had no water. I notified (b)(6) (b)(6) and he addressed the problem. The (b)(6) was notified of this noncompliance the following morning 7/26/19.	CLOSED
M4271+P4271+V4271	GREISE BROTHERS PACKING INC.	CZF0911084520N-1	08/19/2019	04C02	Livestock Humane Handling	313.1	HATS category VII: Slips and Falls: 9CFR313.1(b), On 8/19/19 at approximately 1310 hours I (b)(6) (b)(6) observed three cows in pen 5 that were slipping in feces when moving around the pen. There was no bedding placed on the floor to give the animals footing to prevent slipping.	OPEN
M4271+P4271+V4271	GREISE BROTHERS PACKING INC.	CZF5511082230N-1	08/28/2019	04C02	Livestock Humane Handling	313.1	On August 28, 2019 at approximately 1400 hours, I (b)(6) while performing the Humane handling task I observed a goat that had its head caught in a hole in the fence. The hole was approximately 7 inches wide and 5 inches tall. I immediately freed the goat and notified owner Frank Greise of the incident. The slaughter floor supervisor had already left for the day. This is a noncompliance with regulation 313.1.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF200 609151 9N-1	09/18/2019	04C02	Livestock Humane Handling	313.16(a)(1)	<p>HATS Category VII: Stunning Effectiveness: On September 18, 2019 at approximately 1145 hours I (b)(6) and (b)(6) observed a bull with horns brought into the chute. The bull was able to turn itself, so it was facing toward the door that leads from the chute to the barn. The (b)(6) decided the use of firearm was needed to stun it because the horns prevented the animal from being secured in the head gate. The owner of the establishment, Mr. Greise, was the one who performed the stunning with a .22 magnum. The first shot was fired. (b)(6) began to open the cooler door where we had moved to for safety reasons, but (b)(6) indicated that we should remain where we were. A second shot was then fired. After opening the cooler door, we were notified that the second shot was effective. When questioned why there needed to be a second shot, Mr. Greise replied that the first shot was not effective because of the thick skull. The head was washed and the bullet holes of entrance was one in the hair whorl in the center of head and the other one was just above.</p>	OPEN
M4271+P4 271+V4271	GREISE BROTHERS PACKING INC.	CZF220 909031 9N-1	09/19/2019	04C02	Livestock Humane Handling	313.2		OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9979+P9 979+V9979	Smith Valley Meats	AAH191 009111 2N-1	09/12/2019	04C02	Livestock Humane Handling	313.1	<p>At approximately 6:30am while performing a quarterly humane handling assessment verifying HATS category IV, Handling During Ante-mortem Inspection, through review and observation a noncompliance was observed. The alleyway to the knocking box is divided by several metal drop gates constructed of sheet metal. Most of the drop gates have rubber on the bottom to protect the animal from sharp edges. During today's visit there were 2 gates (the two prior to knock box entry) that were missing the rubber protection exposing the sharp edges. This is in violation of regulation 313.1(a) requiring pens, driveways, and ramps to be free from sharp objects. The edges were examined and did not contain hair or evidence of animal contact. Use of the drop gates was observed during the entire slaughter (3 beef) and no animals were injured by the sharp edges.</p> <p>(b)(6) was notified of this noncompliance verbally and in writing with this NR.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M85B	Swift Pork Company	GYM38 030732 18N-1	07/17/2019	04C02	Livestock Humane Handling	313.2	<p>On July 17, 2019, at approximately 18:29, while performing a Humane Handling Task (Category VI-Electric Prod/Alternative Object Use) in the livestock barn, I observed the following noncompliance. I saw a barn employee attempting to move hog standing alone in one end of an alleyway, separated from the main bunch of hogs. The employee held a sort board in one hand and a rattle paddle in the other and was standing directly behind the hog. As I watched he raised the paddle above his head and struck the hog harshly on the back, leaning into the strike. The hog did not move, and the employee then raised the paddle again and struck him in the back in the same way a second time and followed with another blow with the paddle to the hog's right side. The hog did not move significantly with any of these strikes. The employee then opened a steel gate behind the hog and bumped the hog's hindquarters with the gate. The hog did not move significantly in response to this either. The employee then stood by the hog and called on his radio. I walked around to the hog and observed that the hog was panting and reluctant to move and the skin was reddened. I observed as the employee loaded the hog into the bucket of the skid steer which had arrived to transport the hog to the subject hog pen. I then proceeded to the scale house and found (b)(6). (b)(6). I told (b)(6) about what I had witnessed, and he said he would immediately pull the employee into the office. I informed (b)(6) (b)(6) that a noncompliance report would be issued. The use of the forceful paddle strikes and use of a steel gate to strike the hog which was clearly not moving well and appeared disabled from exhaustion is a noncompliance with 9 CFR 313.2(b) as well as 9 CFR 313.2(a). (b)(6) later told me that the employee would be reassigned to a different part of the barn while this issue was investigated.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH511 209170 6N-1	09/06/2019	04C02	Livestock Humane Handling	313.1, 313.2	<p>HATS Category IV- Handling During Antemortem Inspection On Friday September 6, 2019 at approximately 0640 while performing pre-shift ante mortem inspection in the barn (b)(6) (b)(6) observed the following noncompliance. While walking over to holding pen #3 (b)(6) observed a hog with its head pinned between the ground and the gate. The gate was pinning the hog by its neck and the hog was gasping for air, unable to move. At approximately the same time, (b)(6) (b)(6) yelled for (b)(6) to go grab the captive bolt guns. (b)(6) (b)(6) came from the scaling office with the loaded captive bolt guns and immediately stunned the hog. The hog was pulled out from underneath the gate and moved to the location where deads are placed. Looking at the gate it was apparent that one side of the gate was further off the ground than the other allowing for a hog to fit its head in between the gate and the ground, but unable to become free if it moved further toward the wall and away from the larger gap. Due to the issue with the gate (b)(6) requested that the remaining hogs in the pen be relocated to a different pen and took a regulatory control by placing tags NO. B42245623 & NO. B42245624 on each end of the pen. At that time the establishment began an assessment of all other gates and began maintenance work on any gate that appeared to pose a risk of entrapment. (b)(6) verbally notified (b)(6) (b)(6) of the establishment's failure to comply with 9 CFR 313.1(a) and 9 CFR 313.2.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244I	Tyson Fresh Meats, Inc	GEH471 810490 2N-1	09/28/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS category VIII On Saturday September 28th, 2019, at approximately 2239, the following noncompliance was observed by (b)(6) (b)(6) (b)(6) was in the subpen monitoring the stunning of the two hogs in the pen. The first hog was stunned without incident. (b)(6) watched the reloading of the discharged captive bolt stunner, and the two shooters restrained a market hog with the u board. They traded loaded captive bolt stunners and the first shooter applied the stunner to the forehead of the animal. The stunner was discharged, and the hog dropped to the ground onto right lateral recumbency. The u board was moved, and it was noted that the hog had eyes open, was breathing, and moved its ears when the first shooter reached to check for consciousness. It moved its eyes toward the first shooter and blinked rapidly when the area around its eye was touched. There was an indentation in the forehead in a position which should have resulted in a stun. The first shooter requested the captive bolt stunner from the second shooter. The first shooter received the captive bolt stunner from the second shooter and discharged it into the same position as the previous mark on the forehead. Unconsciousness was achieved at that time. The first captive bolt stunner, Gun# 1, had the rod protruding from the base approximately 1cm. The normal protrusion of the bolt after fire is closer to 6cm or more. The barn supervisor, (b)(6) stated that he would be calling for the (b)(6) (b)(6) When (b)(6) (b)(6) arrived, (b)(6) explained the situation and stated that she would be documenting a noncompliance. (b)(6) (b)(6) also arrived at the subpen and was verbally notified of the noncompliance. The hog was placed in the dead pile for rendering. Captive bolt stunner #1 was given to maintenance for evaluation. Any other</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							corrective actions will be documented in the response to this noncompliance. This is written notification of noncompliance.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M19185	Spectrum Preferred Meats, Inc	ASE231 209520 4N-1	09/04/2019	04C02	Livestock Humane Handling	313.2, 313.30 (a)(2)	<p>HATS Category IV Handling during Ante-mortem Inspection At approximately 0945 on 09/04/2019 in the stunning area of establishment M19185, a hog was observed to climb over an unconscious hog in front of it. The employee performing the electrical stunning immediately stopped the restrainer conveyor's forward movement and placed the stun unit on this hog but was unable to stun it before it jumped out of the restraint. It slid down the short ramp to the shackling area and fell to the ground. When the hog got up it was non-weight bearing on its right hindlimb. This is noncompliant with 9 CFR 313.2 and 313.30(a)(2) in that the establishment failed to handle this hog with a minimum of excitement and discomfort. Immediate Regulatory Control Action was taken by tagging the V-restrainer with U.S. Rejected Tag # B26459214 and halting the stunning process. Establishment employees immediately used sort boards to keep the hog from running onto the harvest floor or under the dehairer. The scald tank indexer was stopped to prevent scald water from splashing out. The hog was then restrained with sort boards and humanely euthanized via captive bolt on the first attempt and condemned. (b)(6) and (b)(6) were notified of the noncompliance. One conscious hog was still in the V-restrainer. The establishment was allowed to stun and stick this hog. The hogs in the chute leading to the restrainer were returned to the barn. The FSQA Manager and Operations Manager were notified that a noncompliance record would be issued. When the establishment took appropriate corrective actions and proposed adequate preventative measures, the U.S. Rejected Tag was removed, and production was allowed to resume.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M17D+P76 13+V17D	Smithfield Packaged Meats Corp.	WLJ460 007323 1N-1	07/29/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV – Handling During Ante-Mortem Inspection On 7/29/2019 at approximately 2051 hours while performing antemortem inspection, I observed the following humane handling non-compliance when employees were removing hogs from pen #10. As I was performing antemortem inspection of the south side of the even numbered pens in the new barn, I observed establishment employees attempt to drive hogs out of pen #10 to place them in a pen in the basement of the old barn for antemortem inspection at a later time. Pen #10 has two 3-foot-tall metal gates that subdivide the pen into three compartments. One establishment employee entered the northern entrance of pen #10 (which is also the exit for the hogs). The employee was attempting to get around and behind the hogs in order to move them towards the exit and out of the northern most subdivision. This caused the hogs to become excitable with increasing vocalizations, driving them backwards towards the first dividing gate. With no room to move, the hogs began piling up on one another. I then observed one hog attempt to climb over the 3-foot-tall dividing gate. This hog got the front half of his body above the top portion of the gate before falling backwards. At this time, another establishment employee entered pen #8 (pen directly adjacent to pen #10) and began driving the hogs from the side of pen #10 to encourage them to exit the north end. After getting behind all the hogs of pen# 10, the second employee drove them at a natural walking pace with no vocalization or excitement from the hogs. I informed (b)(6) of my observations and of the forthcoming noncompliance record. He stated he would discuss with his employees how to drive the hogs without excitement. This is noncompliant with 9 CFR 313.2(a) which states in part "Driving of livestock ... shall be done with a minimum of</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							excitement and discomfort to the animals. Livestock shall not be forced to move faster than a normal walking pace.” This non-compliance report is being associated to non-compliance report WLJ5807065019N from 6/18/2019 which was issued for hogs being driven out of pen #20 with increased excitement and vocalization. Corrective actions given at the time were to reduce pen capacity of pen #20. The establishment’s corrective actions were ineffective in prevent reoccurrence of this non-compliance.	
M1620	Quality Pork Processors	QMO41 130722 25N-1	07/25/2019	04C02	Livestock Humane Handling	313.2	HATS Category III: Water and Feed Availability At approximately 11:40am while performing ante mortem duties I observed a pig in the shipper pen next to pen 115. The pig had become contained between the scale gate and the swing gate in a area that is approximately 2ft by 8ft with no access to water, no apparent injuries were visible. I notified (b)(6) ante mortem liaison of the situation and he immediately opened the gate which allowed the pig to have access to water. (b)(6) was notified of the noncompliance.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1620	Quality Pork Processors	QMO12 210922 05N-1	09/04/2019	04C02	Livestock Humane Handling	313.2	<p>While conducting Category IV - Ante-Mortem inspection and observing Category VI - Electric Prod/Alternative Object Use, I observed the following noncompliance. At approximately 1710 hours on September 4, 2019 I was standing at the North side of pen 317 facing the back of the barn. I heard loud squealing coming from the area located after the west round pen and before the west stunning chamber. I turned to see a hog with its head caught in the automatic push gate. The hog could not free its head and was squealing loudly. The pig's body was mostly vertical, with the head caught between the cement wall and the automatic gate. The pig had been facing west or southwest when it was entrapped. An employee quickly ran to the emergency stop and released the pig. The pig appeared to be uninjured after it was released. I rejected both the east and west stunning chambers with USDA Reject tags # B38175079 and B38175080 and informed (b)(6) of my observation. At approximately 1725 hours I spoke with (b)(6) I told him I would document the humane handling noncompliance. He informed me he will post two people to watch the automatic gate tonight as an immediate corrective action. I removed the reject tags and released the stunning areas at approximately 1730 hours and operations resumed. (b)(6) will continue to investigate the cause of the entrapment.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB21 170713 25N-1	07/25/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 1630 hours, while performing HATS task VIII Stunning Effectiveness, I (b)(6) observed a mature Hereford cow enter the stunning area. The stunning employee successfully captured and restrained the head. He then placed the pneumatic stunner (Gun #2) onto the animal's head and fired but it appeared to have no effect on the animal as the cow remained conscious with no change in posture. The animal remained standing calmly with eyes open, ears up, and no vocalization. The stunning employee immediately applied a second stun with the pneumatic stunner (Gun #2) which successfully rendered the animal unconscious. I requested (b)(6) (who was also present at the knock-box) to call for (b)(6) to come to the stunning area for further guidance. I then stepped down by the head restraint and could feel two distinct holes through the skull; one below the other. I then placed U.S. Reject Tag B41821615 at the stunning area. The establishment chose to end slaughter operations for the day at this time. The head was removed, passed inspection, and taken to the fabrication room where it was split. I (b)(6) verified that there were two distinct bolt tracks, one below the other. The first track was at an angle where the bolt entered the rostral ¼" of the brain. The second track was angled in such a way to enter the brain and travel to the brain stem. (b)(6) was informed of the issuance of the non-compliance record. Written corrective actions were received by (b)(6) which stated re-training the employee on the importance of proper angle placement of the pneumatic gun prior to firing. The U.S. Reject Tag was removed from the restrainer.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2460+P2 460	Cimpl's, Inc.	PMB50 150804 08N-1	08/08/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(2), 313.2	<p>At approximately 0835 hours while performing HATS task category VIII Stunning Effectiveness, I (b)(6) observed a mature angus cow enter the knock-box. After the senior stunner (b)(6) restrained the head, the Halal cutter began the religious cut. I observed him make several passes with his knife, with very little to no incision in the animals flesh. At this time I instructed the (b)(6) to stun the animal and I requested a Harvest Floor supervisor. (b)(6) came to the stunning area and I relayed my observations to him. After the animal had been shackled, hoisted and placed on the production line myself and (b)(6) observed the neck area and discovered that only a cut of approximately 1- 1 ½ inches deep and 4-6 inches in length appeared in the area that the Halal person had been cutting. The cut did not appear to have severed either of the carotid arteries. (b)(6) talked with the Halal person and told him he must have all of his knives sharpened and ready when the Halal Slaughter process is ready to begin. This is non-compliant with 9CFR313.15(a)(1), 313.15(a)(2) and 9CFR313.2.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8915+P8 915	McDonald's Meats, Inc.	ZMB07 150951 24N-1	09/24/2019	04C02	Livestock Humane Handling	313.15(a)(1)	On September 24, 2019, at approximately 1255 hours, on the slaughter floor, I (b)(6) was performing a humane handling task on stunning effectiveness, HATS Category VIII. Owner Travis McDonald was using a handheld captive bolt (penetrating) on a market swine that was in the stunning area. The stun attempt was administered, with a wound observed in the center of the forehead, however the pig remained standing, alert and vocalizing. Mr. McDonald immediately took another loaded captive bolt and administered a second stun, after which the animal became insensible. He then stuck the pig to bleed out. Mr. McDonald was informed of the forthcoming humane handling noncompliance with 9 CFR 313.15(a)(1).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244W	Tyson Fresh Meats, Inc.	BTD560 908182 1N-1	08/20/2019	04C02	Livestock Humane Handling	313.1	<p>At approximately 22:00 on August 20, 2019 in the Subject pen at 244W I, (b)(6) observed the following while performing ante mortem inspection of the subject and house (disabled) hogs (HATS Category V): A recumbent gilt, Subject Hog 116, was lying in fresh blood. A thin stream of arterial blood was pulsing from the lateral digit of the right front limb; the toenail was missing from the bleeding digit. I alerted (b)(6) and (b)(6), and they immediately decided to euthanize the hog via hand held captive bolt gun. Team members were present as I retrieved a toenail from a nearby section of floor grate. The grate covers a trench drain and is comprised of approximately 1" square sections, and the nail was firmly seated tip-down in a section. The toe nail had healthy pink tissue in the tip, and a small section of hoof wall missing from the toenail matched up with a section of hoof still firmly attached to the coronary band of the hog. Aside from the avulsion of the hoof support structures from the distal phalanx, there were no gross abnormalities observed on the exposed digit or the toenail; the tissues appeared healthy. This situation represents non-compliance with 9CFR 313.1 (a). I informed (b)(6) that my observations would be documented on an NR. An MOI dated August 29, 2018 (BTD4214083828I) expressed concern with the safety of the grate. In response, the Establishment stated that "the grating in question is very difficult for a hog to lodge a toenail with enough force to rip the toenail off without assistance from other forces," and no action was taken.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M244W	Tyson Fresh Meats, Inc.	BTD311 609071 7N-1	09/16/2019	04C02	Livestock Humane Handling	313.2	At approximately 21:35 on September 16, 2019 in the Subject pen at 244W I, (b)(6) observed the following noncompliance: I was performing antemortem inspection of the Subject and House (disabled) hogs (HATS category V) and checked a waterer in the adjacent pen that was holding resale hogs ("Shipper" Pen). That waterer was not functioning, so I proceeded to check other waterers in that pen and in the Subject pen – none were working. I relayed this to (b)(6) (b)(6) and he quickly identified that the water line supplying these pens had been turned off. Water was restored when he turned the line back on. Penning animals without access to water represents noncompliance with 9CFR 313.2(e). I told (b)(6) that this would be documented on an NR.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M245L+P2 45L	Tyson Fresh Meats, Inc	LEI1914 074606 N-1	07/06/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV- Handling During Ante-Mortem Inspection At approximately 1120 hours I arrived at the yards to perform ante-mortem inspection. There were three trucks unloading smaller heifers and all had split loads (cattle from different lots on one truck). I noted that there were two heifers weighing approximately 1150 pounds sorted off by themselves in the holding pen south of the scale. One of these two heifers would run from one end of the holding pen to the other, as well as come at people standing on the other side of the pipe fence. I then went out into the pens and performed ante-mortem inspection for approximately thirty minutes. When I returned to the scale area, the heifer which had been running back and forth in the pen was now trapped in a walk through opening in the fence. The heifer had managed to get her body through this opening up to the hips and then could not go forward or backward. The walk through opening is two large steel posts set about 18 inches apart for humans to walk through. The heifer was still standing on her hind legs, but her front legs and head were on the ground. (b)(6)</p> <p>(b)(6) was standing near the heifer and informed me that she had already given the heifer xylazine and that someone was on their way to "knock" the animal. There was blood on the ground under the heifer as well as by a second walk through opening to the south. I walked around to the front of the heifer and noted there was blood present in its nose and mouth. At this time (b)(6) arrived and the animal was quickly euthanized with a hand held stunner. I informed (b)(6) that I would be issuing an NR for the animal getting trapped. This is a failure to meet the requirements of 9CFR 313.1(a).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M717+P19 051+V717	Smithfield Fresh Meats Corp.	TAE421 308231 7N-1	08/17/2019	04C02	Livestock Humane Handling	313.2	<p>At approximately 11:48 am while performing the Livestock Humane Handling task Category II Truck unloading, I observed a trailer be unloaded. I observed a few hogs go back to the middle of the trailer then I observed the driver raise his paddle up towards his head, come down with force and hit the hog on one side of the jowls (face) then the other side four times saying "does it hurt" and the hog vocalizing. No obvious signs of blood or bruising were observed on the hog. The hog was backed up into the corner before the ramp that goes out of the trailer with other hogs around. I took a regulatory action by verbally informing the driver to stop. I then went to the hog procurement office and told (b)(6) (b)(6) to follow me out to the trailer. As we were walking I explained to him what I observed. (b)(6) spoke to the driver and asked him what had occurred and reminded him that striking hogs in the face is unacceptable. After approximately five minutes passed of watching the driver continue to unload, (b)(6) had an employee help the driver finish. (b)(6) immediate corrective action was to observe the driver unload the rest of the hogs and have an establishment employee help move the hogs. The remainder of the hogs were moved without incident and minimal vocalizing. At approximately 12:50 pm I informed (b)(6) of the forthcoming non compliance record.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M717+P19 051+V717	Smithfield Fresh Meats Corp.	TAE491 108013 ON-1	08/30/2019	04C02	Livestock Humane Handling	313.2	<p>Humane Handling Category III - Water and Feed Availability On 08/30/2019 at 0543, while performing Humane Handling Task Category III - Water and Feed Availability, I observed the following noncompliance. Hogs in Pen 8B had no access to water – the nipples that are to supply water to this pen were pinned behind the wall. My regulatory control action was to withhold signing off on this pen card for antemortem inspection until water was supplied. The hogs were loaded into this pen at 1745 hours on 08/29/2019, 12 hours prior to my inspection. Establishment employee, (b)(6), immediately moved the nipple waterers into the pen, and I signed the card, releasing the pen at 0545. 95% of the hogs were actively moving in the pen and were not attentive to the water nipples during my inspection. I notified (b)(6) (b)(6) of the noncompliance. Preventatives at this time are to be leaving the nipple waterers in the pen at all times. Establishment will be verbally discussing this with their employees today.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M717+P19 051+V717	Smithfield Fresh Meats Corp.	TAE251 509011 7N-1	09/17/2019	04C02	Livestock Humane Handling	313.15 (b)(1)(i), 313.15(a)(1), 313.2(f)	<p>On 9/17/2019 around 10:20am, (b)(6) was performing Humane Handling Verification task Category VIII - Stunning Effectiveness in the yards. After pen 4 hogs were moved to the butinas, there was one slow hog left in the pen. The hog was laying on its side and unable to rise. Establishment employee decided to captive bolt this hog and take to the 'dead's pile instead of moving to the downer pen. Establishment pens-to-butina employee brought one captive bolt gun from the downer pen to the hog in pen 4. The employee proceeded to knock this hog, the bolt gun clicked but nothing happened, and the hog did not react – this first attempt was a misfire. On the second stunning attempt, with the same captive bolt device, the hog vocalized but was not rendered unconscious. From the vantage point of (b)(6), no blood was visible from attempted stun and the hog did not thrash or try to get up. The stunning employee had to walk away from the hog back to the downer pen, three pens away, for more cartridges to attempt a third stun with the same bolt gun. After a short delay the hog was rendered unconscious on the third stunning attempt. Upon inspection of the hog carcass by (b)(6), two holes were observed about 1 cm apart from each other in the center of the forehead, at the approximate center of an X drawn between the ears to opposite eyes with blood staining over the entire head. (b)(6) and (b)(6) were notified by (b)(6) of the stunning incident and had the captive bolt gun taken to maintenance (b)(6) was notified of this occurrence. After further preventive measures were received from (b)(6) (b)(6) stunning of disabled animals resumed. (b)(6) was notified of forthcoming noncompliance.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M717+P19 051+V717	Smithfield Fresh Meats Corp.	TAE560 809112 4N-1	09/24/2019	04C02	Livestock Humane Handling	313.2	<p>Humane Handling Category III - Water and Feed Availability On 9/24/2019 at 05:30 am while performing Humane Handling Task Category III - Water and Feed Availability, I, (b)(6) observed the following noncompliance. Pen 11 had no access to water – the single trough of water in the pen was completely dry and the valve to turn the water on was closed. I took a regulatory control action by withholding signing off on this pen card for antemortem inspection until water was supplied. The 38 hogs were loaded into this pen at 03:48 pm on 09/23/2019, about 14 hours prior to my inspection. I informed (b)(6) of the noncompliance. Immediate corrective actions included him turning the valve on so water would fill the trough. All hogs in the pen stood up when the water was turned on and began crowding around the trough to drink. Hogs stood drinking water for around 1-2 minutes each before lying back down. I released the pen by signing the pen card at 05:45 am. I verbally notified (b)(6) (b)(6) of the noncompliance and issuance of NR. This NR is being associated with NR #TAE4911080130N from 8/30/2019. Preventative measures of discussion with employees about water checks in pens was not implemented or not effective in preventing the reoccurrence of this noncompliance.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M889A+V889	J.F. O'Neill Packing Co. Inc.	DSC3606081220N-1	08/20/2019	04C02	Livestock Humane Handling	313.2	<p>HATS: Handling During Ante Mortem Inspection, Water and Feed Availability Upon arrival to the barn at approximately 0615, I observed that the watering tank for pens 1 and 2 was devoid of water. The pipe which provides the water was shut off. I immediately found (b)(6) (b)(6) to inform him of the issue and ask if he wanted to observe the situation. He came to the barn, agreed with my findings, and restarted the water. Several animals in both pens came up to the tank and began drinking. This incident resulted in noncompliance with 9 CFR 313.2(e) which requires that water be available in all holding pens.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M969G	Swift Beef Company	NDH28 050842 15N-1	08/09/2019	04C02	Livestock Humane Handling	313.50	<p>HATS Category VIII – Stunning Effectiveness: On August 09, 2019 at approximately 2330 hours, while observing stunning effectiveness under HATS Category VIII, the following non-compliance was observed. I, (b)(6), observed an establishment employee attempt to stun a bovine in the stun box with a head restrainer using a pneumatic captive bolt stunning device. The first attempt was ineffective in rendering the animal insensible. Right before the stun operator made the stun attempt, the animal moved its head down. I heard the pneumatic captive bolt device discharge and observed a bleeding hole in the head on the left side directly above the eyebrow. The animal remained sternal and swayed its head back and forth, in a conscious manner, left and then right twice. The animal did not vocalize. The backup stun operator immediately applied a second effective stun with a hand-held captive bolt device and I observed the head of the animal drop down in a state of complete unconsciousness. I applied U.S. Reject tag B38-972606 to the stun box. I verbally informed (b)(6) that a non-compliance record will be issued for the plant's failure to meet the regulatory requirements of Title 9 CFR 313.50(c). I verified that the animal remained unconscious throughout the shackling, hoisting and bleeding process. I observed the dressed head had two penetrating stun holes. There are no additional noncompliance records of the same root cause within the past 90 days.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M320M+V 320	Smithfield Fresh Meats Corp.	VWK02 150749 26N-1	07/26/2019	04C02	Livestock Humane Handling	313.1	<p>HATS CATEGORY II TRUCK UNLOADING HATS CATEGORY VII SLIPS AND FALLS On 07/26/2019 at approximately 1145 hours I, (b)(6) was performing ante-mortem inspection. Ambient temperature outside was 82 degrees F. As I walked past the bottom side unload dock I observed a plant employee begin unloading a truck. The bottom deck of the trailer contained 90 hogs of a mixed load of gilts and IC barrows. The hogs were calm and the employee was moving calmly and deliberately. As the center section of the bottom deck was unloaded I observed multiple hogs slip on all four feet. Seven hogs fell, defined by all four feet losing traction and either the belly or the buttocks hitting the ground. I observed fecal material but no bedding on the floor of the trailer, which was comprised of metal diamond plate. At this point I took a regulatory control action and stopped the unloading of the trailer. I notified (b)(6) (b)(6) that slips and falls needed to be controlled before the trailer could continue to be unloaded. The hog driver opened the inner trailer doors to allow hogs to freely mingle and exit into the barn without being driven while additional corrective actions were implemented. Three additional hogs fell in the same center section during this time. A plant employee then emptied a bag of wood shavings into the center section of the trailer and I allowed truck unloading to resume. There was one additional slip but no more falls and the remainder of the trailer was unloaded without incident. No U.S. Reject tags were used as I remained in visual and auditory control of the truck unloading at all times. I notified (b)(6), and (b)(6), this was a noncompliance with 9 CFR 313.1(b). On 07/12/2019, IPP concerns regarding slips and falls in trucks and trailer was discussed at the weekly</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							meeting with establishment management, documented in MOI #VWK2214071412I.	
M2969+P2 969+V2969	Swiss Processing Plant Inc.	DEG000 909190 9N-1	09/09/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	<p>HATS Category VIII-Stunning Effectiveness On 09/09/2019, at approximately 0657 hours (b)(6) observed a stunning failure on a mature sheep in the establishment's slaughter area. An establishment employee applied the initial stun with a hand-held captive bolt stunner after which the animal was still standing and fully alert, with a normal blink response. The establishment employee immediately applied a second stun by firearm which proved to be effective. At 0700 hours (b)(6) notified me (b)(6) of his observation and I took Regulatory Control action by placing U.S. Rejected Tags number B-45229569 and B-45229570 on the knocking area. I then immediately notified my immediate (b)(6). This is a failure to meet the regulatory requirements of 9CFR 313.15(a)(1) and 9CFR 313.15(a)(3). I informed Kill Floor Lead, HACCP Coordinator and Owner/Manager that a noncompliance record would be issued. At or about 0728 hours, I, (b)(6) released the knocking area for slaughter.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2995A+P 7022+V299 5	Town and Country Butcher Shop	ZHG331 009142 4N-1	09/24/2019	04C02	Livestock Humane Handling	313.2	Category III At approximately 1030, while performing ante-mortem inspection, the following non-compliance was found: pen N2 holding 19 hogs was found to have no water available, the bucket had been knocked over and was empty in the pen. I requested that establishment manager, John Poole, come to the pen so he could observe the non-compliance. Mr. Poole was notified that a non-compliance record would be issued. He took immediate corrective actions by providing water in the holding pen. Review of the Humane Handling Monitoring Record dated 9/24/19 had the "Water Present" category marked "Yes" at 7:45am. This is a failure of 9 CFR 313.2(e), which requires that water be available to livestock in all holding pens.	OPEN
M13081+P 13081+V13 081	Tri State Meats LLC DBA Special D Meats	DLJ571 008402 7N-1	08/27/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII Stunning Effectiveness: At approximately 1025 while performing a Livestock Humane Handling task, the following non-compliance was observed: a slaughter establishment employee attempted to stun a steer with a captive bolt, but was ineffective at producing immediate unconsciousness with a single shot; the animal remained standing and alert after the first shot. The employee immediately performed a corrective action by applying a second shot with a captive bolt that effectively rendered the animal unconscious. After the animal was slaughtered, I had the establishment employee skin the head to reveal the captive bolt penetration holes; the first stun hole was approximately one inch medial to the left eye and the effective stun hole was properly placed at the mid-line. This noncompliance is failure of 9 CFR 313.15(a)(1). Establishment manager, Jennifer Greenwood, was notified that a noncompliance record would be documented.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M3D	Swift Beef Company	MXE13 210804 23N-1	08/23/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1) (iii), 313.2	<p>HAT Category VIII: Stunning Effectiveness On 08/23/2019, at approximately 1855 hours I, (b)(6), was notified by (b)(6) that he had observed several steers alive on the floor of the stunning area. I immediately went to the establishments stunning area and observed company employees surrounding eight steers that had gone past the knocking box, down the conveyor belt and were conscious and ambulatory on the floor. In addition, four steers had been stunned and laid dead among the remaining ambulatory steers when I arrived. I asked the (b)(6) what had happened and he informed me that the restrainer operator did not shut-off the restrainer before leaving for break and cattle kept going through. (b)(6) also stated that they would hoist the dead steers up the conveyor belt, shackle them and proceed to stun the remaining ambulatory steers. Company employees proceeded to stun the cattle with a handheld captive bolt stunner and no effective restraint. At approximately 1915 hours, I observed a company employee placing the handheld stunner on the head of a steer, firing the stunner, and immediately after the impact the steer ran towards the conveyor belt and had blood dripping out of the right nostril. Company employees turned-on the conveyor belt, the steer fell back to the floor and a second stun was performed that rendered the animal unconscious. Several of the remaining ambulatory steers attempted to flee past the conveyor belt only to fall back down to the floor, and effectively stunned. After verifying that all the steers on the floor were properly rendered unconscious, I proceeded to take regulatory control action by placing U.S. Rejected Tag NO.B41713665 on the controls of the knocking box at approximately 1920 hours. I contacted the Dallas district office management for further instructions and reviewed the proposed</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>corrective actions and preventative measures provided by company management. At approximately 2015 hours, I removed the U.S. Rejected Tag from the controls of the knocking box and relinquished regulatory control of operations. The establishment failed to drive the animals to the stunning area with a minimum of excitement and discomfort; therefore, it is a non-compliance with 9 CFR 313.15(a)(2) & 9 CFR 313.2(a) which states "Driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals." The establishment had an ineffective stunning attempt that made contact with the animal and failed to render it immediately unconscious; therefore, it is a non-compliance with 9 CFR 313.15(a)(1) which states "The captive bolt stunner shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort." The establishment failed to limit the free movements of the animals in the stunning area; therefore, it is a non-compliance with 9 CFR 313.15(b)(1)(iii) which states "The stunning area shall be so designed and constructed as to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy."</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M245E	Tyson Fresh Meats, Inc.	IBF3818 094409 N-1	09/09/2019	04C02	Livestock Humane Handling	313.15(a)(2), 313.15(b)(1) (iii), 313.2	HATS Category VII: Slips and Falls (9 CFR 313.15(a)(2)): On September 9, 2019, at approximately 1630 hours, the following noncompliance was observed: The line was shut off by the skinning line because a steer had escaped the restrainer and was running loose on the harvest floor. As (b)(6) went to investigate the line stoppage, he observed the steer skidding to a halt across the floor to prevent running into the wall. The animal then ran the length of the floor and escaped out of the docks in the offal area. The company was not in compliance with 9 CFR 313.15(a)(2) which states that the driving of animals to the stunning area shall be done with a minimum of excitement and discomfort to the animals. The steer was running loose on the floor in an excited state trying to avoid obstacles and people. (b)(6) (b)(6) and (b)(6) were informed that a noncompliance will be issued.	CLOSED
M337+V33 7	STX Beef Company	UNG33 090712 15N-1	07/15/2019	04C02	Livestock Humane Handling	313.1	Category IV Anti mortem inspection Verifying the establishment's facilities and procedures for humane handling of animals during anti mortem inspection Today July 15, 2019 @ 7:30 am, (b)(6) (b)(6) saw a piece of iron pipe was missing on the fence at the south portion separating Pen #13 and #12. The iron pipe fence from where the missing pipe fell had sharp edges which pose a potential source of injury to the cattle She tagged the fence with US REJECTED TAG # B40602534. At 9:00 am I went to the stockyard to check the fence and it was already repaired. The missing iron pipe was already welded back in place, the sharp edges from where the iron pipe came from was already smoothed and a possible source of injury was eliminated. I removed the tag and gave authorization for the use of pens # 12 and #13. No further corrective action was needed cause the deviation was fixed already.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M675	Caviness Beef Packers, Ltd.	GGC261 507572 9N-1	07/29/2019	04C02	Livestock Humane Handling	313.2	HAT Category III , Water & Feed Availability 9 CFR 313.2(e) On 7/29/19 at about 3:05 pm while I was performing ante-mortem inspection I observed the following non-egregious noncompliance. When I was getting ready to observe pen seven be moved by the plant employee, I saw that the water trough between pen seven and pen nine was empty. Both pen seven and pen nine had cull cows in them and the shared water trough was the only potential water source for either pen. I immediately told the pen employee and he went immediately to the trough and did something to the float mechanism which caused water to come rushing into the trough. I informed (b)(6) that a noncompliance record would be issued.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13276+P 13276	Edes Custom Meats	AJA541 108411 5N-1	08/15/2019	04C02	Livestock Humane Handling	313.2	<p>While performing Ante mortem inspection the following noncompliance was observed in one of the Edes Custom Meats livestock holding pens. On 7-15-19 the establishment was notified by (b)(6) Earle that one of the livestock water fountains was inoperable. On 8-15-19 the water fountain is still inoperable. Establishment team members assured the in-plant USDA inspector they would manually water and change contaminated water as needed. When (b)(6) concluded with Ante mortem inspection of 3 Beef in 2 pens left overnight. A tub being used to manually water livestock in the pen with the broken water fountain was observed with excessive feces and what appeared to be urine present in the temporary water tub. The dirty water observed looked like it had not been replaced since the last kill operation on 8-13-19. Upon further observations of the other 2 livestock water fountains they did not have fresh water as debris was observed floating on top of the water of the fountain bowl. Edes Custom Meats is not in compliance with 9 CFR. 313.2(e). Team member (b)(6) was immediately informed of the contaminated water tub and was notified to clean and replace the dirty water as soon as possible.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI401 307280 2N-1	07/01/2019	04C02	Livestock Humane Handling	313.1, 313.2	<p>On July 01, 2019 at approximately 1530, while conducting an ante-mortem inspection of cattle at Establishment M13445, I observed cattle in Pen 3 that appeared to be recent arrivals. I observed one of the heifers lying on her side in the mud next to a cow that was found dead in the pen that morning. The dead cow's coat was caked in mud and found in front of the water trough. As I approached, the heifer attempted to rise 2-3 times, but was unable to do so because of the deep mud. The down heifer was directly in front of the hay bale, which I also noted was not pushed close enough to the fence to be readily accessible to the cattle in pen 3. As I watched for a few minutes, some of the cattle attempting to get to the hay bale begin walking on top of her. The dead cow and down heifer both laying laterally recumbent in front of both the water trough and hay bale further restricted access to feed/water. I immediately notified (b)(6) (b)(6) and presented her with my findings. (b)(6) retrieved an establishment employee to euthanize the heifer and prevent any further undue pain and injury. The employee tried to coax the heifer to stand, but after three or four failed attempts, the heifer was humanely euthanized. The following morning (02 July 2019) another young calf was found dead in the same position (in front of feed/water in Pen 3) and, again the hay in front of Pen 3 was not accessible due to the three dead animals in front of the feed/water and proximity of the hay bale to the pen. These observations are noncompliant with 9 CFR 313.2(e) and 9 CFR 313.1(b) [HATS Categories II & III] and are similar to findings from NR# ABI0210070401N and NR# ABI4912065106N. M13445 routinely slaughters and processes a high percentage of cull cattle. The mud in the pens is especially problematic for debilitated cattle. Once they lay down in deep mud, the high viscosity may make it impossible</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							for them to rise depending on their respective stage of illness/injury. These animals are essentially trapped and susceptible to being trampled until they succumb to their individual pathologies if this occurs overnight and as reflected in these observations.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI541 507350 5N-1	07/05/2019	04C02	Livestock Humane Handling	313.2	<p>On July 5, 2019 at approximately 1115, I performed an ante-mortem exam on a calf which appeared to have a broken forelimb. Although ambulatory, the calf was disabled as it was non-weight-bearing on the forelimb and not walking normally. The smaller disabled calf should have been separated in accordance with 9 CFR 313.2d(1), but was found mixed amongst the larger ambulatory cattle found in Pen 1. At 1130 an (b)(6), asked me to perform an ante-mortem inspection of some cattle that were recently dropped off. The new cattle had been placed into Pen 3 which had 22 cattle in it and had already received an ante-mortem inspection. As I approached the pens, I noted that Pen 3 was obviously filled beyond an acceptable capacity. Sixteen additional animals had been added to Pen 3 for a total of 38 head total. I observed that three were laying down on their side and as (b)(6) and I approached, the three animals began to immediately be trampled. I informed (b)(6) (b)(6) of the three down animals and he immediately opened a couple of gates to provide more room and separate the ambulatory animals from the down animals. In doing so, the young cattle crowded into a small space with a person moving amongst them became excited and began running in the pen. After watching the three down animals be trampled by the excited animals in an overcrowded pen for 2-3 minutes, I asked (b)(6) to euthanize the down animals to prevent further undue pain and injury. As (b)(6) (b)(6) went to retrieve a rifle, the ambulatory animals moved away from the down animals giving them an opportunity to rise if able. A small Holstein calf was able to struggle to its feet and recover. The other two calves were unable to rise and were subsequently euthanized. Discharging a firearm in the crowded pen further spooked the agitated cattle and one of the calves kicked (b)(6)</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>(b)(6) in the leg. Fortunately, the force of the kick was not enough to result in significant injury. I saw (b)(6) (b)(6) approaching the pens at which point I informed her that I had just observed her employee drive cattle over down animals. Exceeding the normal stocking density of the holding pens creates safety concerns for both the establishment employees and animals. Failing to separate the disabled animals from normal ambulatory animals (as required by CFR 313.2d) is a repeat finding and linked with NR# ABI4013072802N [07/01/2019] and NR# ABI0210070401N [06/28/2019]. This document serves as written notice of the establishment's failure to comply with the Federal Regulations, and continued noncompliance could result in additional regulatory or administrative action.</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI441 508291 2N-1	08/12/2019	04C02	Livestock Humane Handling	313.1	<p>Livestock facilities - On Monday, 12 Aug 19, (b)(6) and (b)(6) walked around the holding pen grounds of Huse's Processing following up on a Notice of Intended Enforcement (NOIE) dated 16 May 2019, for an egregious inhumane handling incident. The two veterinarians walked back to the holding pen area to observe a plant employee moving cattle. Cattle were moved from holding pen number 3 into the ally way toward the knock box. As we relocated to the area next to the alley way and outside of the knock box, both (b)(6) and (b)(6) observed that a pipe was missing from a fencing panel leaving numerous sharp edges along the lower edge of the sheet steel where the pipe was once welded. US Rejected Tag B36-297 578 was used to identify the defect. Per 9 CFR 313.1(a) states, "Livestock pens, driveways, and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, and unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired". In this instance, the metal fencing helping to form the ally could cause unnecessary pain to livestock if an animal would slip/ fall and a limb would slide under the fence panel. A similar observation was made by (b)(6) on NR ABI 291 302 142 8N-1, 28 Feb 2019, as "a heifer had gotten her right hind foot caught between the bar and sheet metal on the fence of the runway". In her description, (b)(6) cited "the same root cause" as in the NR written on 12 Feb 19, ABI 151 001 352 9N-1. On 15 Apr 19, (b)(6) made a similar observation about sharp edges of a metal plate used to reinforce fencing and wrote NR ABI 551 404 001 5N-1 citing 9CFR 313.1(e). Additionally, while standing out next to the holding pens, both veterinarians observed that</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>while round bailed hay was present just outside the holding pens, that previous occupant cattle had eaten the lower portion of the bail, the current occupants of the pen could not reach the hay bail due to it being physically to far outside of the pen and the excess horn length i.e. (b)(6) cross- breed, could not get their head through the fence openings to reach the hay. 9 CFR 313.2 (e), Handling of Livestock states, "Animals shall have access to water in all holding pens, and if held longer than 24 hours, access to feed". In this instance, the cattle left in the pens were present on Sunday, 11 Aug 19 at 0700hrs when (b)(6) (b)(6) did ante-mortem for the Sunday slaughter. This same observation was made on 21 Feb 19, Non-compliance #ABI 451 502 432 1N-1, by (b)(6). A second observations was made by (b)(6) on Non-Compliance Report (NR) ABI 551 404 001 5N-1, dated 15 April 2019, where livestock "...did not have access to feed and water". Additionally, a third NR, ABI 401 307 2802N-1, dated 1 July 2019 was made by (b)(6) indicates another incident were livestock were "...restricted access to feed/water." On 12 Aug 19, at approximately 1400hrs (b)(6) and (b)(6) (b)(6) had a meeting with (b)(6) (b)(6) in the USDA office concerning the 10 Humane Handling Non-compliances generated since the beginning of the 2019 calendar year and the eleventh that would be generated from today's, Monday 12 Aug 19, findings. (b)(6) expressed his concern and the possibility that at any time these eleven (11) Non-compliances could be referred up to Washington DC by the District Manager, Dr. McKean. Additionally, if further non-compliances occur, the USDA could take various regulatory actions including the removal of inspection personnel. It is the recommendation of (b)(6) that a copy of the 9 CFR be copied and thoroughly be reviewed</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							so further Humane Handling infractions do not occur.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI261 609191 ON-1	09/10/2019	04C02	Livestock Humane Handling	313.1, 313.16(a)(1), 313.2	<p>HATS Category VIII Stunning Effectiveness: At 1300, Establishment Administrator Kelsey Lloyd informed me that a bull had escaped during unloading operations, and establishment management wanted to shoot the animal without suitable restraint mechanisms in place. Plant personnel had corralled the bull towards the western edge of the property [off-premises]. (b)(6) approached the animal to within five feet with a .410 shotgun in an attempt to achieve a humane shot. The first shot failed to produce immediate unconsciousness. No vocalizations were heard, but the animal was still ambulatory and staggered away. (b)(6) was able to line up a 2nd shot within approximately two minutes and effectively render the animal unconscious. On post mortem examination, it appeared that the first shot was approximately 1 inch low as the 2nd properly placed shot produced a hole in contact with the first thus creating the appearance of a single hole. These observations are in noncompliance with 9 CFR 313.16(a)(1). Establishment Administrator Kelsey Lloyd was present and informed of the pending Noncompliance Record. HATS Categories IV & VII Handling During Ante-Mortem Inspection and Observations for Slips and Falls: At approximately 1500, while meeting with (b)(6), I was asked by the (b)(6) to perform ante-mortem inspection. (b)(6) accompanied me while I observed (b)(6) drive eight calves into the driveway leading to the knock box. As the first calf was about to enter the knock box, he hesitated and stopped. (b)(6) attempted to prod the animal forward with a hot shot. He failed to close the back-up gate outside the knock box, and calf moved backwards, slipped and fell. The driveway before the knock box is composed of two gates whose width can be adjusted by a chain running perpendicular to the gates along</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							their top bar. Establishment employees relaxed the chain to widen the driveway and allow the calf to stand. In doing so, the calf was able to turn around and ran into the calf behind it causing a second calf to slip and fall. These observations are in noncompliance with 9 CFR 313.1 and 313.2. The establishment employees were asked to return the animals to their pens, and the alley/driveway leading to the knock box was tagged with US Rejected Tag B36297654.	
M13445+P 13445+V13 445	Huse's Processing Inc.	ABI020 909472 ON-1	09/20/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Category VIII - Stunning Effectiveness (9 CFR 313.15): While checking email on 09/20/2019 at 0755, I heard the report of a captive bolt and an immediate vocalization from a market swine. I immediately proceeded to the slaughter floor to investigate and observed an establishment employee in the knock box with a conscious pig. I observed the slaughter foreman reload a captive bolt and hand it to the employee in the knock box. A backup device if present was not utilized as mandated by the establishment's Robust Systematic Approach to Humane Handling. The employee in the knock box attempted a second stun after an ineffective stun [confirmed on postmortem exam of the skull from carcass #7] and was able to render the animal unconscious as soon as he was able to humanely do so. The establishment owner, Mr. Randy Huse, was notified of the findings and pending NR at 0800 and the knock box was tagged US Rejected B36297593 at 0805. A review of the humane handling records for the day did not reflect a backup was readily available or that records were generated at the appropriate time. These findings are in noncompliance with 9 CFR 313.15(a)(1). US Rejected Tag B36297593 removed at 0915 on 09/20/19.	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6636+P6 636	Pete's Country Meats	USB221 308171 4N-1	08/14/2019	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII- Stunning Effectiveness At approximately 1125 hrs., the establishment attempted to stun a market swine, using a .22 caliber Long Rifle stun device. The first stun was observed to be ineffective as the animal displayed signs of sensibility wherein the animal remained standing. The establishment stun employee immediately recognized the stun failure and delivered an immediate and effective second stun, using a .30 caliber stun weapon. The animal remained insensible thereafter. The establishment was immediately notified of the non-compliance and forthcoming issuance of the associated non-compliance record. The knock box was immediately tagged, pending acceptable corrective actions being proffered.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M7455+P7 455+V7455	Williams Sausage Co Inc	UQD11 080955 28N-1	09/28/2019	04C02	Livestock Humane Handling	313.1	<p>HATS CATEGORY IV (Handling During Ante-Mortem Inspection) On 9/28/19 approximately 8 am, while performing a humane handling category IV task, I observed two areas of disrepair in the establishment hog pens that could lead to injury for an animal. In hog pen #1, next to the gate leading to the truck ramp, there is an approximately 3" wide x 4" long x 2" deep hole in the concrete with the end of a steel plate that was sitting on top of it now sitting approximately 1" above the concrete with a pointed corner where it could harm a hog. There are currently no animals in this pen nor will any be placed in it today; however, animals were run through it earlier today. Secondly, in the hog pen next to the slaughter chute inside the building, directly adjacent to the water trough, the lower two steel rails of the pen fencing have become dislodged from the fence post and are protruding ~2" into the walkway. The lowest rail has a rounded but pointed edge that could cause a puncture or harm to an animal. After observing these areas, I immediately notified (b)(6) (b)(6) and (b)(6) of the noncompliance. The protruding rails were promptly welded to the fence post to prevent any harm, and (b)(6) indicated they are repairing the concrete this weekend. This is noncompliance with 313.1(a) due to failure to maintain pens in good repair.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M322+V32 2	Double J Meat Packing, Inc.	QOE18 160927 30N-1	09/30/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III - Water and Feed Availability At approximately 1010 hours, September 30, 2019, (b)(6) was conducting Ante-Mortem Livestock Inspection. He observed two head of cattle in the back half of pen 11 with no access to water. (b)(6) informed (b)(6) of the situation. (b)(6) observed the two steers moved to another pen with access to water. (b)(6) verbally notified (b)(6) and (b)(6) that this would be documented by a noncompliance record. There are no additional noncompliance records issued for the same root cause within the past 90 days.</p>	OPEN
M969+V96 9	Swift Beef Company	UOA26 140927 25N-1	09/25/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII – Stunning Effectiveness At approximately 11:50am on 09/24/2019 while performing the Livestock Humane Handling Task; I (b)(6) observed the following noncompliance. The stun operator applied an ineffective stun with a pneumatic captive bolt device to a bovine. The animal did not vocalize, but raised its head and was looking around with eyes tracking. (b)(6) administered an immediate and effective second stun with a hand-held captive bolt device that rendered the animal immediately unconscious. I verbally informed (b)(6), (b)(6), and (b)(6) that a noncompliance record would be issued. There are no additional noncompliance records of the same root cause within the past 90 days.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M969+V969	Swift Beef Company	UOA2614092725N-2	09/25/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII – Stunning Effectiveness At approximately 11:50am on 09/24/2019 while performing the Livestock Humane Handling Task; I (b)(6) observed the following noncompliance. I observed a second bovine being ineffectively stunned. The stun operator applied an ineffective stun with a pneumatic captive bolt device to a bovine. The animal did not vocalize, but raised its head up and away from the stun operator while looking around. Again, (b)(6) (b)(6) stepped in and administered an immediate and effective stun with a hand-held captive bolt device that rendered the animal immediately unconscious. (b)(6) then relieved the primary stun operator from operating the stunning device. I did not observe any additional ineffective stuns. I verbally informed (b)(6) and (b)(6) that a noncompliance record would be issued. This NR is being associated with NR # UOA2614092725N /1 issued on 9/24/2019.</p>	OPEN
M6454+P4896+V6454	Elizabeth Locker Plant, Inc.	OAF1617091106N-1	09/06/2019	04C02	Livestock Humane Handling	313.1	<p>Hats Category VII – Slips and Falls At approximately 8:00am on 9/6/19 upon entering the slaughter holding pen area to conduct ante mortem inspection, I observed 7 beef animals in pen 4. One of the animals fell to its belly and then fell again to its belly again while trying to get it's footing to get up. The flooring in holding pen #4, which is comprised of smooth cement with straight lines cut into it as with the other holding pens flooring are not constructed and maintained so as to provide good footing for livestock, thereby preventing slips and falls. Plant owner, Justin Hundley, was notified of the noncompliance and also notified that pen #4 would be rejected until the pen flooring is addressed to insure it has adequate footing for animals held in it. Holding pen #4 is tagged with U.S. Rejected tag # B23947641.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M548	Yosemite Meat Company Inc.	VHM49 120742 25N-1	07/25/2019	04C02	Livestock Humane Handling	313.30(b)(2)	<p>At approximately 0538 hours, while performing Live Stock Humane Handling procedure I, (b)(6) observed the following non-compliance. I observed a vocalizing roaster pig trapped in the restrainer. I was standing by the shackling table when I heard a vocalizing pig. Then, using my flashlight, I looked inside the restrainer and saw a roaster pig's head trapped in the entrance of the restrainer. The establishment employee in charge of stunning was moving the restrainer conveyer back and forth in an attempt to free the pig. When they were unable to free the roaster pig, two establishment employees and I went over to give a closer look at the roaster pig and observe how it was stuck in the restrainer. The employee in charge of stunning made the decision to use the captive bolt to stun the animal in the restrainer. After stunning the animal, the restrainer was "opened up" and the gates were dismantled to allow access to apply the secondary security knock. After the security knock was applied, the establishment employees dragged the carcass out of the restrainer to the shackling table and placed it on the shackle. It was at that time that I noted the animal was lacerated on both rumps. After observing the laceration, I, (b)(6) immediately tagged the knock box at approximately 0540 hours with U.S. Rejected tag B45-032024 and notified the management team of the regulatory control action. Because I could not determine when and where the laceration occurred, a noncompliance record was issued.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M783+P78 3+V783	Harris Ranch Beef Company	VNG44 120952 28N-1	09/25/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category VI: Prod Use While performing a scheduled Livestock Humane Handling Review and Observation task at approximately 1410 hours, I observed establishment employees in the serpentine area driving steers into the (center-track rail) CTR chute. I watched the employee driving the steers into the CTR chute using the electric prod on 6 different steers where each steer was electrically prodded once. I then heard a steer vocalize from inside the restrainer chute area, so I immediately went to observe the knocking area in the Harvest Knocking Room. By the time I got inside, the steer, which I heard vocalizing, had already been knocked and was on its way up the incline chain. As I observed the employee knocking cattle, I did not see him doing anything to make the steers excited. However, I did notice that the steers were coming into the CTR chute excited. I then asked the employee who was knocking the cattle to call for a supervisor or management. (b)(6)</p> <p>(b)(6) and (b)(6)</p> <p>(b)(6) arrived at the knocking area and I informed them both of what I had observed. I also told them both that the cattle were coming in excited and that before I heard the first steer vocalize, I did observe 6 different steers getting electrically prodded once. (b)(6) and (b)(6)</p> <p>(b)(6) informed me that they were going to take care of the situation. At approximately 1445 hours I went back to the knocking area and again I observed a steer excited at the knocking box, swinging its head back and forth and at the same time vocalizing. I then heard another steer vocalize coming from the adjacent serpentine area. I immediately walked over to the area where the serpentine connects to the CTR chute and observed the steer being prodded 6 different times in the rump area – two of the times the employee allowed the prod to linger on the animals' hide as it moved forward for</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>approximately 2 to 3 feet. I could see the animals' skin twitching each time when the prod was used on it. The animal handler was trying to get the animal to move forward, as there were no other cattle in front of it, but it instead kept walking backwards. The animal vocalized 4 out of the 6 times immediately after the prod was used. I then immediately informed (b)(6), who was also in the knocking area, of my observations. (b)(6) then went out to the serpentine area and while speaking with the employees who were trying to drive the same steer (in the serpentine), I observed the animal walk backwards. The animal handler then prodded the steer once more with the electric prod and the animal vocalized. (b)(6) told the animal handler to discontinue using the prod. The steer was still excited, and the animal handler eventually got it to move forward into the CTR using the rattle paddle where it was knocked. At this point I informed (b)(6) of my observations and upon her direction I notified (b)(6) of the forthcoming noncompliance. The establishment failed to meet regulatory requirements of 9 CFR: 313.2(b)</p>	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M2800+P2 800	Superior Farms	RJO371 207271 8N-1	07/18/2019	04C02	Livestock Humane Handling	313.1	<p>On July 18, 2019 at approximately 0935 hours I, (b)(6) observed the establishment employee moving sheep in the barn alleyway in the area just before the alley crosses the driveway. At the section of the alleyway where it turns the corner and continues into the barn the establishment had placed some rubber mats. Unprovoked, the sheep began to run down the exterior part of the alley and turned the corner into the barn. I saw three or four sheep slip on one of the rubber mats and fall to the ground. After the sheep had been moved back toward the staging area across the driveway I inspected the mat. I ran my foot across the surface of the mat and found that it was slick. The pen employee contacted (b)(6) by radio and asked her to come to the pens. I showed the mat to (b)(6), described my observations and advised her of the pending noncompliance. The establishment failed to maintain the floor of the livestock pen so as to provide good footing in accord with Title 9 CFR 313.1(b).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4928+P4 928	Islamic Meat & Poultry Co.	DTD210 908482 3N-1	08/21/2019	04C02	Livestock Humane Handling	313.1	On 08/21/2019 at approximately 1615 hours, while performing an odd-hour inspection (establishment did not operate on 8/21/2019), I inspected the establishment's livestock holding pens, driveways and ramps (HATS Category IV, Ante-Mortem Inspection). I observed a corral panel, located north of the beef lead-up chute and is part of the north fence of the small ruminant pen adjacent to the lamb/goat facility entrance ramp; the bottom horizontal rail of the coral panel was corroded, and a section was broken and exposing a sharp edge in the rail. The corral panel rail was in disrepair and was a sharp object hazard for animals. At the time of this inspection there were no animals in this pen, and no animals were observed with any injuries that could have resulted from exposure to the sharp edge in the corral panel rail. This was a noncompliance with Title 9 CFR 313.1(a). I applied U.S. Reject tag B16121190 to the pen gate to prevent any animals from being placed in the pen. The establishment owner on premises was notified soon after I applied the tag and he then placed a protective plastic sleeve over the sharp end of the broken corral panel rail and secured it in place so that animals could not be harmed by the sharp edge of the broken rail; I then removed the U.S. reject tag from the gate. I inspected the beef ramp used for leading beef into the facility. Near the top of the ramp, in the north side wall, approximately 15 inches away from the sliding door and approximately 12 inches above the ramp floor, was a broken 2x4 board with some missing wood, which resulted in exposure of two screw heads that were approximately 3 inches apart from each other. The broken 2x4 board was in disrepair and the exposed screw heads were protruding object hazards with potential to cause injury to animals at the top of the ramp. This was a noncompliance with Title 9 CFR 313.1(a). I applied U.S. Reject tag B42126699 to the metal	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>door at the east end of the ramp to prevent any animals from being placed in the ramp. I notified the plant owner, and he immediately removed the 2x4 board, and stated that they will work on placing a new 2x4 board into the side wall of the ramp. I inspected the antemortem pen and observed some worn concrete in the pen floor that had exposed rebar wire that used to be inside the concrete. The exposed rebar wire was a trip hazard for any animals placed in the pen; this also demonstrated that the floor of the antemortem pen was in disrepair. This was a noncompliance with Title 9 CFR 313.1(a). I applied U.S. Reject tag B16121210 to the gate of the antemortem pen to prevent any animals from being placed into the antemortem pen. There were no animals in the pen at the time of this inspection, and no animals were observed with any injuries that could have been caused by the rebar wire, such as from tripping or falling. I observed a 2x10 board approximately 8 feet long, attached to the top rail of pen 8 only at the board's east end; the west end of the board was loose, and could be swung up and down and inward and outward, indicating it was loose and not secured, and protruded about 12 inches outward into the alleyway space, approximately 4 feet above the alleyway floor. This board created a protruding object hazard that could potentially cause harm to any cattle passing through the alleyway, and there was significant potential that the board could come completely loose and fall on an animal. This was a noncompliance with Title 9 CFR 313.1(a). There were no animals in the alleyway at the time of this inspection, and no animals were observed with any injuries that could have been caused by the protruding board. I applied U.S. Reject tag B16121189 to a gate at the east end of the alleyway and closed the gate to prevent any animals from entering the alleyway where the loose board is located. Managing</p>	

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							(b)(6) and establishment owner Mohamed Mesallem were notified of the noncompliance.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO362 108090 5N-1	08/05/2019	04C02	Livestock Humane Handling	313.15 (b)(1)(ii)	<p>HATS VIII: Stunning Effectiveness On 8/5/19 at approximately 1710 hours, the following noncompliance occurred while I (b)(6) observed two bob veal calves euthanized during antemortem inspection. I observed multiple hand-held captive bolt gun misfires during stun attempts when the establishment employee was euthanizing the two non-ambulatory bob veal calves. The establishment employee applied the hand held captive bolt to the appropriate target area on the first calf and attempted to render the calf unconscious. Twice, the hand-held captive bolt gun produced a "click" sound with no penetration (The pin did not fire). The employee checked the mechanics of the hand-held captive bolt gun and then placed the same captive bolt gun to the calf's head. This attempt rendered the calf unconscious immediately. The establishment employee then approached the second non-ambulatory bob veal calf and applied the hand-held captive bolt gun to the forehead. The first four stun attempts repeatedly produced a "click" sound with no penetration. (The pin did not fire). The employee then placed a different (backup) hand-held captive bolt gun to the calf's head and on the first application, this captive bolt gun produced only a "click" sound, with no harm to the calf. The next application from the backup captive bolt gun produced an effective penetrative knock to render the calf unconscious. Due to repeated misfires of the primary and backup captive bolt guns while attempting to stun and euthanize these calves, the establishment failed to comply with 9 CFR 313.15b(1)(ii); "Stunning equipment must be maintained in good repair". This noncompliance is similar to a noncompliance that occurred on 2/8/19 with PHIS record number JCO1519023508N, whereby the hand-held captive bolt gun failed to fire on initial attempts to stun a calf.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO431 608250 7N-1	08/07/2019	04C02	Livestock Humane Handling	313.1	<p>On Tuesday, August 6, 2019 at approximately 1717 hours, the following noncompliance was observed while I (b)(6) was performing ante-mortem inspection of bob veal. As I was monitoring the movement of bob veal calves from Pen 2 into Pen 1, I observed one large Holstein bob veal calf (approx. 90lbs) with its head on the side of Pen 2B and its body on the side of Pen 2. The bob veal calf was conscious in the shade, laterally recumbent, and able to breathe with no significant signs of distress. The calf seemed to be wedged within the narrower opening of a gap between the bottom of a diagonal wooden board and the floor. The fencing between Pen 2B and Pen 2 has an approximately 3 ½ ft x 5-inch wooden board that was affixed at a diagonal slope to the last horizontal bar that is part of the pen barrier. This diagonal sloping of the board created a space which is approximately ½” from the ground to over 5 inches from the ground. The bob veal calf was in where the board was about 4 ½” inches off the ground, wedged in between the floor and board. I approximate the time the calf had its head on one side of Pen 2B and its body in Pen 2 totaled no more than 10 minutes. I immediately notified outside pen plant employees and stated the issue needs to be addressed as quickly as possible. The establishment employee opted to render the bob veal calf unconscious in order to remove it from its location. Once knocking the bob veal calf, the employee proceeded to pull it out from under the board of the pen fencing separating Pen 2B and Pen 2. Plant Manager Javier Juarez Jr. then approached the area and was informed of the incident and forthcoming noncompliance with regulation of 9 CFR 313.1 which states, “Livestock pens, driveways and ramps shall be maintained in good repair. Loose boards, splintered or broken planking, and unnecessary openings where the head, feet, or legs of an animal may be injured</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							shall be repaired. U.S. reject tag B43727087 was fixated on Pen 2B/Pen 2 at approximately 1720 hours to prevent further livestock from being placed into the pen. At 1912 hours U.S. reject tag was removed as Plant Manager Javier Juarez Jr. had replaced the broken board with a new board and fixated it appropriately to prevent future livestock from getting stuck.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO162 108221 4N-1	08/12/2019	04C02	Livestock Humane Handling	313.15 (b)(1)(ii)	<p>HATS VIII: Stunning Effectiveness On Monday 8/12/19 at approximately 1906 hours, the following noncompliance occurred while I (b)(6) observed one bob veal calf that was passed for ante-mortem inspection and proceeded for slaughter. Outside the knock box, the establishment installed plastic curtains as a response to limit the amount of flies inside the slaughter floor. As the outside employee took a Holstein calf that passed ante-mortem inspection into the knocking area, I heard a muffled sound coming from the Power Knocker and observed the calf take a few steps backwards towards the entrance of the plastic curtains. I then entered through the curtains and observed no penetration of the calf's skull, the calf was standing, conscious and not under any significant amount of stress. As the establishment employee re-positioned and restrained the calf, he once again applied the Power Knocker to the forehead of the calf, and the stunner produced a second muffled sound with no penetration. (The pin did not fire). I then walked over to ensure no penetrative markings were produced when the second muffled sound was created from the Power Knocker at the attempt of knocking the Holstein veal calf. Again, I observed no penetration of the calf's skull, the calf was standing, conscious and not under any significant amount of stress. I took regulatory control action and placed a U.S. Reject Tag B43727115 on the knock box at approximately 1906 hours. Plant Manager Javier Juarez Jr. was informed of the incident and immediate corrective actions were established. The U.S. Reject Tag was removed at approximately 1917 hours and slaughter operations resumed. Due to repeated misfires of the primary Power Knocker while attempting to stun a bob veal calf, the establishment failed to comply with 9 CFR 313.15(b)(ii); "Stunning equipment must be maintained in good repair". This noncompliance is linked to a noncompliance</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							that occurred on 8/5/19 with PHIS record number JCO3621080905N.	

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4969+P4 969	J J Meat Co.	JCO032 109180 3N-1	09/03/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS VIII: Stunning Effectiveness On 9/3/19 at approximately 1622 hours, the following noncompliance occurred while I (b)(6) observed an ineffective stun on a Holstein bob veal calf during ante mortem inspection. I was approximately 15 feet away from the knock box as the establishment employee proceeded to coax a bob veal calf to rise and ambulate it towards the knock box. As the employee entered the knock box with the calf, I heard the power knocker fire, and observed through the clear vinyl curtains the bob veal calf fall onto its back and had all 4 legs up in the air. As I walked over to the knock box, I observed the calf right itself into sternal recumbency and as I moved the clear vinyl curtains aside, a controlled head movement side to side and bilateral eye tracking with blinking was visible. During my observations, the establishment employee was immediately obtaining and assembling the Hand-Held Knocker 2. He performed a second effective penetrative stun to render the calf unconscious within approximately 15 seconds from the first ineffective stun. At this time, I investigated the target for the first ineffective penetrative stun and was located 1 ½ inches above the lateral canthus of the right eye, and below the base of the right ear. U.S retain tag B43367999 was applied to the knock box and Plant Manager Javier Juarez Jr. was notified of the incident. At approximately 1627 hours, Mr. Juarez informed me further corrective actions to prevent reoccurrence in which he would observe the establishment employee perform knocking on the next 20 bob veal calves for stunning effectiveness. U.S. retain tag B43367999 was removed from the knock box at approximately 1632 hours and slaughter operations resumed. Due to the failure of producing a stun that would produce immediate unconsciousness and be stunned in such a manner that they will be rendered unconscious with a</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							minimum excitement and discomfort; the establishment failed to comply with 9 CFR 313.15(a)(1).	
M6063A	Central Valley Meat Co., Inc.	XNO09 180725 13N-1	07/13/2019	04C02	Livestock Humane Handling	313.1	<p>On 7/13/2019 at approximately 07:03hrs while performing ante-mortem inspection and humane handling observations of category VII- slips and falls. The following noncompliance with 9 CFR 313.1(a) 313.1(b) occurred in pen 23. I observed at 07:03hrs one dairy cow (jersey) slip and fall near the west side of the drain in pen 23. The animal fell rapidly, having no chance to right itself. The cow landed flat on its right side and made no immediate attempt to rise. At 07:09hrs with the minimal use of the air prod vibrator the cow was able to rise to its feet. I observed the cow in motion, there was no limping or any visible injuries with the cow due to the fall. After moving the cows back to pen 12. I reviewed the condition of the waffle floor for pen 23 and noted the east side of the drain there is an approximate 7X3 foot section with no waffling, it appeared smooth and has an approximate 135-degree angled slop. To prevent further possible injury, slip and falls from occurring, I took regulatory control action and attached a U.S. reject tag #B36846322 to pen 23. I informed (b)(6) of the forthcoming noncompliance and the rejecting of pen 23. The establishment is noncompliant with 9 CFR 313.1(a) and 313.1(b), because of the failure to maintain the floor in pen 23, by provide good footing or slip resistant floor surfaces near the drain that would sufficiently prevent slips and falls.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M235+P23 5	Washington Beef, LLC	TQK510 809362 7N-1	09/27/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII – Stunning Effectiveness At approximately 10:30am I, (b)(6) was called out to the pens for a non-ambulatory heifer. When I arrived, the heifer was in sternal recumbency but appeared alert and in good condition. With minimal coaxing the heifer stood and was ambulatory, due to concerns about her ability to make it up the serpentine I approved bringing the heifer in through the secondary entrance. Using a (b)(4) hand-held captive bolt (HHCB) device a plant employee applied the first stun. The bolt penetrated the skull but the heifer remainder standing, looking around, and eyes tracking. Using the backup (b)(4) HHCB the plant employee immediately moved into position and applied a second stun that rendered the heifer effectively insensible. (b)(6) (b)(6), and I examined the head and observed 2 holes in the skull. There are no noncompliance records of same root cause issued within the past 90 days.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M6423+P6 423+V6423	Walt's Wholesale Meats, Inc.	MFO53 130844 14N-1	08/14/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category VI – Electric Prod/Alternative Object Use On 08-14-2019 I, (b)(6) observed the following noncompliance at establishment M6423: At approximately at approximately 0915hrs while observing humane handling in the CSI stand, I observed a dairy cow (black and white in color) in the chute not wanting to walk into the knock box. One establishment employee was using the rattle paddles and the electric pneumatic vibrating stick to encourage the cow to move. The employee tapped the cow with the hot shot and it still would not move. (b)(6) (b)(6), then went up the ramp and took the vibrating stick from the other employee. (b)(6) (b)(6) rubbed the vibrating stick on the metal railing to see if the vibrating stick was working and proceeded to use it on the cow. The cow still would not move. (b)(6) then utilized the battery-operated hot shot and apply the hot shot into the cows left hind thigh. The cow dipped it's back then moved briskly into the knock box. As the cow was moving up the chute, (b)(6) continued to apply the hot shot to the cow. I verbally informed Rafael Gomez, Plant Manager, at 1137hrs a noncompliance record would be issued A review of the last ninety days revealed there is no other record of a noncompliance for a similar cause.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9252+P9 252+V9252	Bright Oak Meats, Inc.	GHD03 180735 22N-1	07/22/2019	04C02	Livestock Humane Handling	313.2	At approximately 1300 (b)(6) heard loud cow vocalization (5 times) in the alley way and she became concerned and went to the barn to investigate. While there (b)(6) (b)(6) observed two lying down cows that had been passed ante mortem at 1130 and a plant employee trying to help the non-ambulatory cow up by pull it tail, while (b)(6) was standing by and did not intervene. Inspector (b)(6) told him that pulling the cow by the tail is in violation of humane handling procedures. Requirements of CFR9:313.2 (d) were not met on this day. (b)(6) (b)(6) was notified of this noncompliance verbally and via this documentation. You are hereby advised of your right to appeal this decision as delineated by 306.5 and/or 381.35 of 9 CFR. No similar noncompliance in the last three months.	CLOSED
M11032+P 11032+V11 032	Northwest Premium Meats, LLC	AOC010 807021 8N-1	07/18/2019	04C02	Livestock Humane Handling	313.2	HATS III: Water Availability On 7/17/19 at 11:55 A.M. while performing a Livestock Humane Handling task at Northwest Premium Meats (M11032) I, (b)(6) observed two pens of swine without access to water. One pen contained three market hogs with a tipped over and empty water bucket. The other pen contained two sows with no water buckets present. I notified (b)(6) (b)(6). He responded by immediately filling the bucket in the pen of market hogs and placing and filling a bucket with water in the pen of sows. When the water was provided the sows began to drink. I informed (b)(6) that I would be documenting this as a regulatory noncompliance. This is a noncompliance with 9CFR 313.2(e) "Animals shall have access to water in all holding pens". I find no similar noncompliance after reviewing the last 90 days of noncompliance records at this establishment.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M11032+P 11032+V11 032	Northwest Premium Meats, LLC	AOC180 808432 ON-1	08/20/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III: Water and Feed Availability On 08/20/2019 at 0700 (b)(6) went to perform ante-mortem on livestock contained in establishments livestock pens. (b)(6) saw that the pen containing 5 beef had a blue barrel in it. Upon further observation (b)(6) noted there was no water in the barrel, therefore the barrel was empty. This was the only potential water source in this holding pen. (b)(6) informed (b)(6) who was presenting the livestock for ante-mortem inspection. (b)(6) observed the issue and immediately filled the blue barrel with water. These livestock were received the day (08/19/2019) prior to slaughter (08/20/2019). (b)(6) did perform a Humane Handling Task for the beef on 08/19/2019 at approximately 0900 and there was water in the pen holding the beef. The establishment's newly written Animal Holding policy, implemented on 07/24/2019 as a corrective action to a non-compliance for Humane Handling issued on 07/18/2019, states, "Holding-Animals in holding pens will have access to water. If more than ten beef, buffalo, Yak or Elk are in one pen, two water buckets will be provided." (b)(6) notified (b)(6) and (b)(6) of the non-compliance with 9CFR 313.2(e), 'animals shall have access to water in all holding pens'. Upon review of similar non-compliances over the last 90 days, this non-compliance will be associated with the non-compliance referenced above issued on 07/18/2019, NR # AOC0108070218.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M12445+P 12445	Kulana Foods, Ltd.	WYF53 120739 17N-1	07/17/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category III - Water and Feed Availability</p> <p>On 07-15-19 I, (b)(6) while verifying HATS Category III Water and Feed Availability I observed two bulls being housed in a pen without water access. I notified (b)(6) (b)(6) that the bulls were housed in a pen without access to water which is noncompliant. He stated he would go to the pens to fix the watering bowl. While out in the pens I observed Ata attempt to fix the waterer but was unsuccessful which he stated he would move the bulls to a pen with water access, and which he did bringing the establishment back into compliance. On the morning of 07-16-19 at approximately 5:35am while conducting Anti-mortem I, (b)(6) (b)(6) observed seven cows and 1 bull housed in the pen without access to water. I informed (b)(6) (b)(6) of the noncompliance and that the cattle didn't have access to water and which he stated that he would kill that pen first, I informed him that they still needed access to water so he used a hose to spray the water bowl attempting to fill the water bowl. There have been no HATS Category III noncompliance's observed in the last 90 days.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M12445+P 12445	Kulana Foods, Ltd.	WYF05 110829 26N-1	08/26/2019	04C02	Livestock Humane Handling	313.15(b)(1) (iii), 313.16(b)(1) (iii), 313.30(b)(2)	HATS Category IV – Ante-mortem Inspection On 08/22/19 at approximately 8:55am, I, (b)(6) observed a feral pig that was brought into the stunning area. This feral pig was excited and climbed over the stunning restraint box and then proceeded to crawl behind the hoist system, thereby entrapping itself inside the hoist system. The stun operator shut off the hoist system and proceeded to try to free the feral pig. The feral pig squealed and the stun operator immediately stopped trying to free the feral pig. The establishment employees elected to retrieve a firearm from the establishment office rather than try to use the electrical stunner or the hand-held captive bolt device due to the restricted location. The stun operator successfully rendered the feral pig insensible with the firearm on the first stun attempt and moved the stunned pig out of the entrapment to bleed out. Establishment management was verbally notified of the incident and the impending non-compliance record. The scenario was discussed and clarified with the Denver District Office via supervisory channels. A regulatory control action was not taken. 9 CFR 313.30(b)(2), 313.15(b)(1)(iii) and 313.16(b)(1)(iii) all cover the need to properly restrain/contain animals prior to the stunning step. The restraint/confinement step was not successfully implemented.	CLOSED
M12455+V 12455	Sanchez Slaughterhouse	SCG181 209100 7N-1	09/07/2019	04C02	Livestock Humane Handling	313.2	At the holding pens of Sanchez Slaughterhouse, at approx. 0300, 9/7/19, the following non-compliance was observed. In holding pens for approx. 6 of the cattle held, observed pails knocked over and empty of water. All livestock held, regardless of time, must be provided water. Mr. Sanchez was alerted to the condition. Animals were slaughtered shortly thereafter without an immediate corrective action. This noncompliance has been observed by IPP previously, SCG3616045429N documenting, and linking further back.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M791+P79 1+V791	Clemens Food Group, LLC	MXL49 160702 29N-1	07/29/2019	04C02	Livestock Humane Handling	313.2	<p>On July 26, 2019, while performing the Ante-Mortem examination at about 9:45AM, with (b)(6), at the suspect pen- we observed the following noncompliance. A totally non ambulatory hog not able to move lying on the floor with no access to water, suddenly a plant employee moved another hog on top of it. The non-ambulatory one lifted its head, when the hog stepped on its abdomen. (b)(6)</p> <p>(b)(6) was notified with the noncompliance. the team member failed to protect the non-ambulatory animal form the other one to step on it. The establishment requested the Ante Mortem examination but failed to protect the animals from exposing to unnecessary pain. 9CFR313.2 (d)(1) states: Disabled animals and other animals unable to move shall be separated from normal ambulatory animals. The establishment failed to comply with the above regulation. Furthermore, the establishment Animal Welfare Program states, it is not acceptable for a hog to walk on top of non-ambulatory hogs, if an animal becomes non ambulatory after exiting the trailer, in the alleys or pens. Animal handler will place partial or barrier between it and the ambulatory hogs walking around it. On the same day and around the time mentioned above, we (b)(6) and (b)(6) (b)(6) observed another noncompliance. A high percentage of the suspect non ambulatory hogs had no accessed to water, keep in mind that hogs stay quite some time before they slaughter. there was some source of water, but they were fare form the non-ambulatory ones which cannot move to reach for it 9CFR 313.2(e) states: Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. The plant failed to comply with the above regulation. (b)(6) was notified with the noncompliance. Once more the establishment own Robust Systematic</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							Approach plan for human handling and slaughter states: Animals shall have water available in the holding pens or any location where the animals may be housed, if livestock are fatigued or non-ambulatory water must be provided in shallow water pans, buckets or water sources within easy reach of livestock.	
M1311	JBS Souderton, Inc.	KID450 609541 3N-1	09/13/2019	04C02	Livestock Humane Handling	313.15(a)(1)	On Friday September 13, 2019. At 06:29am I, (b)(6) was observing handling of a non-ambulatory disabled, alert but sternally recumbent mature Charolais bull. The Night Supervisor prepared to apply the stun using a handheld bolt stunner, with a backup bolt gun within easy reach. After the first application of the bolt, the bull remained in sternal position, head up, ears pricked, eyes and head following the employee. A second stun was applied almost immediately thereafter, causing the bull to immediately go into lateral recumbency, ears relaxed, eyes rolling briefly up and then fixed in place. No breathing or movement which could be interpreted as volitional occurred at this time. Per Establishment protocols, a second safety stun was then applied to the forehead, and a third safety stun applied to the poll. No regulatory control action was required. I informed (b)(6) of the barn that a noncompliance would be issued for failure to comply with 313.15(a)(1): Immediate unconsciousness (captive bolt).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton, Inc.	KID191 509102 5N-1	09/20/2019	04C02	Livestock Humane Handling	313.2	<p>§ 313.2 (a) Driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals. HATS Category: Handling During Ante Mortem Inspection On 09/20/2019 at approximately 1350 hours I (b)(6) (b)(6) observed the following noncompliance. While observing antemortem, I watched a pen employee moving three large Holstein cows from the front to the back of Pen 17A/C. This is a pen divided by a swing gate, which when closed subdivides the pen into two smaller pens. As the first of the three cows moved to the back of the pen, the edge of the open center swing gate caught on the front of the cow's hip, pulling the gate inward as the cow moved forward. The cow became trapped between the closing gate and the side of the pen. The cow continued to try to move forward, pulling the gate further inward and trapping the animal more tightly. The pen employee pulled at the gate forcefully in the opposite direction of the cow's movement, attempting to free the cow and creating considerable force on the animal's hip bone before the gate pulled free, allowing the cow to move to the back of the pen. The pen employee then attempted to move the remaining animals still in the front of the pen to the back of the pen. When the second cow passed by the swing gate at the center of the pen, the aforementioned scenario repeated itself, with the second cow again trapped between the edge of the swing gate and the side of the pen. I informed the pen employee that I was stopping antemortem at this time and informed (b)(6) (b)(6) of the noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.2 (a).</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M4788+P4 788+V4788	North Mountain Butcher Shop	QTL131 409542 7N-1	09/26/2019	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII - Stunning Effectiveness On September 26, 2019, at approximately 1205 hours while standing outside Establishment M4788 I heard the following Noncompliance. A market hog was moved to the stun box for stunning with a 22 magnum rifle. The hog was standing freely in the stun box. I heard a gun shot followed by immediate loud squealing of the market hog for approximately 4-5 seconds until a second gun shot was delivered. The hog fell silent after the second shot. No regulatory control action was taken as the stunner took immediate corrective action by re-stunning the hog which made it insensible. Examination of the skull reveled a hole in the forehead of the animal larger than one normal size hole for a 22 magnum rifle, as I could put my index finger in the hole. This observation, combined with what was hear after the first shot confirmed that the first stunning attempt did not effect immediate unconsciousness. Mr. Glenn Finkenbinker, Plant Owner, was notified of the Noncompliance and the failure to adhere to the regulatory requirements of 9 CFR 313.16(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9369+P9 369	Alex Froehlich Packing Company	SOJ530 808302 3N-1	08/23/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category: Stunning Effectiveness On 8/23/19 at 0915, I was on the slaughter floor observing for the humane handling task. A sow was led into the stunning area. (b)(6) waited for the sow to remain still so he could apply the captive bolt. After a minute or so, the captive bolt fired and I could hear the sow squeal and under the large metal panel I could see the feet and that the animal was still ambulatory and standing. Dave Froelich was standing beside (b)(6) and immediately picked up and fired a 0.22 magnum rifle. The sow immediately collapsed and was rendered unconscious. The sow remained unconscious during sticking and subsequent dressing. I informed (b)(6) that he would receive a noncompliance report. He told me the sow moved its head at the last minute. This is in noncompliance with 9 CFR 313.15(a)(1)	CLOSED
M9704+V9 704	Springfield Meat Company	QGE590 908431 3N-1	08/13/2019	04C02	Livestock Humane Handling	313.2	On August 13, 2019 at approximately 1050 I observed (b)(6) jabbing a calf Holstein in the side with the butt end of a rattle paddle. I verbally put a halt to that activity. (b)(6) translated to (b)(6) that he can't poke the animal. I verbally informed (b)(6) and Keith of my observations. I informed Keith DeWitt, Plant Manager, of the non-compliance with the Meat and Poultry Regulations 9 CFR 313.2(c) sharp or pointed objects which may injure or cause unnecessary pain can not be used.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M9819+P9 819+V9819	Cabin Hollow Butcher Shop, Inc	KWE32 091052 02N-1	10/02/2019	04C02	Livestock Humane Handling	313.1, 313.2	Today, 30 September 2019, at approximately 1348 hours, while performing a routine anti-mortem handling task the following observations were made. An employee was moving a dairy cow from the holding barn, through the alley to the stun box. The cow was moving at a brisk walk and as she rounded the corner to go into the stun box she slipped and fell to the ground resulting in the entire bottom part of her body touching the ground. The cow was able to right herself un-aided within 10-20 seconds, with no apparent ill effects and proceeded into the stun box. Mr. Josh Jones, Plant Manager, was notified and immediately took corrective actions by applying grit to the slippery surface. No regulatory control action was taken. This is a failure to comply with 9CFR 313.1 and 313.2.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM09 070710 22N-1	07/17/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On July 17, 2019, at 3:00 pm while performing HATS Category VIII - Stunning Effectiveness, (b)(6) observed an establishment employee (knocker) using the pneumatic captive bolt stunning device to attempt to stun a cow. The cow was still conscious after the first stunning attempt. The cow was blinking, its nostrils were flaring, and she was breathing. The cow moved its head away from the knocker and I observed a wound (hole) high on the forehead. The knocker immediately took the pre-loaded hand held captive bolt stunning device and successfully stunned the cow, rendering it unconsciousness.</p> <p>(b)(6) took a regulatory control action and tagged the restrainer with U.S. Reject tag # B-157789 and verbally informed (b)(6) of the non-compliance. (b)(6) also verbally requested (b)(6) to confirm the two knock holes. The establishment had the head skinned and (b)(6) and (b)(6) observed two knock holes present. After the establishment gave verbal corrective actions and preventative measures to (b)(6) (b)(6) released the restrainer and the establishment resumed production.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM32 140717 29N-1	07/18/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On July 18, 2019, at 3:14 pm while performing HATS Category VIII - Stunning Effectiveness, (b)(6) observed an establishment employee (knocker) using the pre-loaded handheld captive bolt stunning device to attempt to stun a cow. The cow was still conscious after the first stunning attempt. The cow moved its head away from the knocker, it was blinking, picked its head up and looked back at the knockers. I observed a wound(hole) in the head of the cow. (b)(6) alerted (b)(6) and (b)(6) of the missed knock. (b)(6) observed the cow with a hole in the head and instructed the knocker to stun the cow again. The knocker immediately took the pre-loaded back up hand held captive bolt stunning device and successfully stunned the cow, resulting in unconsciousness. (b)(6) took a regulatory control action and tagged the restrainer with U.S. Reject tag # B-157901 and verbally informed (b)(6) of the non-compliance. (b)(6) also verbally requested (b)(6) to confirm the two knock holes. The establishment had the head skinned and (b)(6) and (b)(6) observed two knock holes present. After the establishment gave verbal corrective actions and preventative measures to (b)(6), (b)(6) released the restrainer and the establishment resumed production. This NR is being associated with QSM097071022 dated 7/17/2019 in which a bovine was ineffectively stunned in the restrainer. The preventative measures that were proffered for this non-compliance were either not implemented or were ineffective in preventing the non-compliance from reoccurring.</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	QSM5609073522N-1	07/19/2019	04C02	Livestock Humane Handling	313.2	<p>On Friday July 19th, 2019 at approximately 10:05am, Dr. Clegg was performing HATS Category IV Ante-Mortem Inspection and observed the following non-compliance with HATS Category VII, Slips and Falls. A group of steers was being moved from Pen 17 across the courtyard to the entrance of the chute. Several steers in the front of the group stopped and the employees continued to drive the animals across the courtyard. The animals did not move forward so one employee went through another pen, nearing the balking steers at the front. One steer fell in the middle of the group near the wall of the drive alley and was unable to rise. A different barn employee realized the steer was down and told the employees at the rear that there was one down. (b)(6) observed the employees stop driving the steers. The steers came quickly back to the pen with 2 steers jumping in the area that the steer had fallen. The fallen steer had both front legs through a pen gate, its head under the gate, and there were several hoof prints on the hide. (b)(6) told the employees in the area that they could not move any more cattle through the area. An establishment employee located a string and attached US Reject tag (#B-45157807) on the entrance to the chute. The gate was moved to release the steer's head, but the steer was still unable to rise. The steer was humanely euthanized. (b)(6) was notified of the non-compliance and (b)(6) was notified of the situation. Once verbal corrective actions were received, the tag was removed and production was allowed to resume.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M562M	JBS Plainwell, Inc.	CFO3810090303N-1	09/03/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 1040 hours on September 3, 2019 while conducting HATS Category VII in the stunning area at M562M (b)(6) made the observation described herein. The pneumatic captive bolt gun was not functioning and so the establishment had instituted stunning with the had held penetrating captive bolt gun. A Holstein steer entered the restrainer in the correct position and appeared to be adequately restrained. The stunning operator fired the hand held captive bolt gun and the beef was observed remain conscious. The beef was observed to be moving its head, tracking things with its eyes and had spontaneous respirations. The beef had a black spot on its head and a depression. The shot appeared to have been fired too rostral to achieve an adequate stun. The stunner operator immediately reloaded the captive bolt gun and fired another shot in the correct location and rendered the beef insensible to pain. This observation is non-compliant with 9CFR 313.15 (a)(1). (b)(6) was informed that a non-compliance record would be issued.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1816+V1 816	West Michigan Beef Co. LLC	TMB09 110705 19N-1	07/19/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS VIII - Stunning Effectiveness At approximately 9:25AM on Friday July 19th, 2019, while performing online post-mortem inspection duties, (b)(6) observed a Holstein cow in the knock box. He heard the discharge of a hand held captive bolt device, but did not see the animal collapse; the animal was still fully standing in the knock box. (b)(6) determined this shot was ineffective in rendering the animal unconscious and proceeded towards the knock box to observe the animal closer. The stunning employee could be seen reloading the hand held captive bolt device as he approached the knock box. Just before reaching the knock box, another shot was heard and the animal collapsed. (b)(6) (b)(6) determined this second shot was effective in rendering the animal unconscious. No further shots were taken on the animal. (b)(6) (b)(6) immediately informed (b)(6) and (b)(6) of the coming humane handling ineffective stun noncompliance. Shortly thereafter, when the animal had been hoisted on the rail and the head skinned, (b)(6) could clearly observe two knock holes in the skull. The requirements of 9 CFR 313.15(a)(1) were not met. A previous ineffective stun was also documented as a NR on April 3rd, 2019. The plant proposed corrective actions of temporarily increasing the monitoring frequency of stunning and humane handling were ineffective in preventing noncompliance with stunning regulations.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M1962+P1 962	Perry Way Foods, LLC	LIN261 208360 2N-1	08/02/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>At approximately 1210 hours on 8/2/19, CSI Aaron Yelton observed the following Humane Handling noncompliance. Two plant employees went to stun a downed sow that the establishment had already decided to denature and disposed of per their own judgement. One employee restrained the sow with a hog snare and the second fired the captive bolt gun. The sow bucked at the same time the bolt was triggered, causing the bolt to be off-center and not fully penetrate. The sow had powder burns on its forehead and showed signs of rhythmic breathing and movement of its head. The gun was immediately reloaded, a second shot fired, and the sow was rendered unconscious. Because a second shot was immediately and successfully fired, I did not take regulatory control measures.</p> <p>(b)(6) and (b)(6) (b)(6) are being made aware of the noncompliance by the writing of this NR.</p>	CLOSED
M2444	Strauss Brands LLC	VFG491 208371 4N-1	08/14/2019	04C02	Livestock Humane Handling	313.2	<p>On August 14, 2019 at approximately 1230 hours, (b)(6) noted a noncompliance for HATS Category VI (Electric Prod/Alternative Object Use) while performing inspection for HATS Category VIII (Stunning Effectiveness). A plant employee was moving a calf into the knock box to be stunned. The calf stopped its forward momentum before it was fully inside the knock box. The employee released the steel, guillotine gate used to secure an animal in the knock box. The gate fell freely and forcefully struck the calf's back. The calf lurched forward fully into the knock box. The calf did not vocalize. The skin was not broken. Using the edge of a steel gate to forcefully strike the back of an animal is not compliant with 9 CFR 313.2(a) and 9 CFR 313.2(b). (b)(6) (b)(6) was notified of the noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10026	Hillsdale County Meats	RMN25 080845 20N-1	08/20/2019	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (i)	<p>HATS Category VIII On 08/20/2019 while performing observations for HATS Category VIII Stunning effectiveness, I observed the following noncompliance with HATS Category VIII, Stunning Effectiveness of an older Texas Longhorn Bull in Pen #3 outside, I observed the (b)(6) (b)(6) shoot the bull with a 22mag rifle (40mg shells), the animal was still conscious after the 1st shot as he did not fall and was still standing and walking around the pen and looking at us, but he did not vocalize. The supervisor immediately grabbed a different gun 223 rifle with Full Metal Jacket loads, which was right next to where he was standing and shot the bull again with the other gun. The bull was unconscious at that time as he fell down and no voluntary responses or vocalizing were observed. I immediately tagged the knock box in lieu of the first bullet not rendering the bull unconscious. I am issuing this NR for miss-stunning under Hats Category 313.16(a)(1) "Utilization of firearms, required effect; handling. (1) The firearms shall be employed in the delivery of a bullet or projectile into the animal in accordance with this section so as to produce immediate unconsciousness in the animal by a single shot before it is shackled, hoisted, thrown, cast, or cut. The animal shall be shot in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort." In addition, regulation 313.16(b)(1)(i) "Facilities and procedure—(1) General requirements for shooting facilities; operator. (i) On discharge, acceptable firearms dispatch free projectiles or bullets of varying sizes and diameters through the skull and into the brain. Unconsciousness is produced immediately by a combination of physical brain destruction and changes in intracranial pressure. Caliber of firearms shall be such that when properly aimed and discharged, the projectile produces immediate unconsciousness." I informed Plant</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							management of the non-compliance and that a NR would be issued. I removed the retained tag at this time. There have been no associated NR's issued within the past 90 days.	
M10147+P 10147+V10 147	Countryside Quality Meats, L.L.C.	PVG060 709302 7N-1	09/27/2019	04C02	Livestock Humane Handling	313.2	CATAGEORY III—WATER AND FEED AVAILABILITY At 0655 hour on 9/27/2019, while verifying access of livestock to water during a quarterly odd hour humane handling inspection task, I found Humane Slaughter of Livestock—Handling noncompliance. I observed that three steers held in pen 3 did not have access to water. The water trough in pen 3 was damp on the bottom but had no water in it. In addition, there were no other sources of drinking water in the pen. This finding illustrates noncompliance with 9 CFR 313.2 (e), because livestock in a holding pen did not have access to water. To address this noncompliance finding, at approximately 0658 an employee added water to the drinking trough. At approximately 0710 hour, I notified Chelsea Wallen (establishment manager) that this finding would be documented on a noncompliance record.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M10252	Berry & Sons Rababeh Isl Slau	ZEN591 207050 2N-1	07/02/2019	04C02	Livestock Humane Handling	313.2	HATS Category IV – Handling during Ante-Mortem Inspection At approximately 1135 while performing online slaughter inspection at a Halal establishment, I (b)(6) observed the following noncompliance. The barn at this location is approximately 10 feet above the kill floor. A lamb was shackled on the rear foot and the ring at the end of the chain was placed on the hook and rail. The lamb was then moved off the platform, where it was hanging prior to the ritual cut being made. I observed the lamb kick excitedly against the wall which led to it falling and landing on its feet on the kill floor. The shackle remained on the rail and the chain had come undone and was on the floor. The lamb was herded by a plant employee back into the barn; and I observed no injuries while the lamb walked normally back into the pens. I immediately halted any further slaughtering by rejecting the shackling area with US Rejected Tag # B40497438 and notified (b)(6) (b)(6), who was the acting SPHV. After a discussion took place with Mr. Yasseen Rababeh (Owner) at 1205, the US Rejected tag was removed. The above occurrence is noncompliant with 9 CFR 313.2(a) which states: Driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animal. Mr. Yasseen Rababeh was notified that a noncompliance report would be issued. There have been no similar incidents in the past 90 days.	OPEN
M7421A+P 7421A	University of Georgia Meat Plant	VUL071 007400 8N-1	07/08/2019	04C02	Livestock Humane Handling	313.2	On July 8th, 2019 at 0700 hours, (b)(6) and Weaver evaluated humane handling at University of Georgia Meat Science Lab (#7421). At the time of the inspection, in the open-air livestock holding pens, no water was available for two steers. This is in violation of the 9 CFR 313.2 (e) "Animals shall have access to water in all holding pens". Shortly following this observation, establishment employees filled the water tank in the pen.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M8745+P8 745	College of the Ozarks	FBG020 908541 9N-1	08/19/2019	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	<p>At approximately 0710 hours while performing a Livestock Humane Handling Task, HATS Category VIII, Stunning Effectiveness, Inspection observed the following noncompliance. Inspection was at the back door of the Processing Plant observing the stunning of the first swine which was in the knock box, outside and adjacent to the slaughter floor. (b)(6) was using a .22 caliber rifle to stun the swine, and the swine moved its head simultaneously with (b)(6) pulling the trigger which resulted in a missed shot placement and the swine not being rendered unconscious. (b)(6) immediately chambered another round in the rifle and made a second shot which did in fact render the animal unconscious. This is a noncompliance with 313.16(a)(1) and 313.16(a)(3). (b)(6) was informed of this NR. No regulatory control was used as the noncompliance was immediately rectified.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21207+P 21207+V21 207	Lorentz Etc. Inc.	RTB031 109272 ON-1	09/19/2019	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	<p>While performing postmortem inspection at the USDA inspection stand on September 19, 2019, I observed the following HATS – Category VII noncompliance. At approximately 0850 hours I heard a commotion from the kill floor near the stunning area. The stunning area is approximately 75 feet from the inspection stand. I then observed a live beef unrestrained on the kill floor. In this facility, beef are stunned via captive bolt in a separate room and then are released unconscious onto the kill floor to be shackled and bled. I observed that the animal was agitated and was trying to avoid employees and at one time, slipped and fell to the floor. An employee used a .410 shotgun to render the animal unconscious with a single shot. The animal was shot at the end of the entrance hallway near the apron wash. This area is approximately 20 feet from where the animal entered the kill floor. (b)(6)</p> <p>(b)(6) was immediately notified and arrived shortly after the animal was shot. I rejected the stunning area with U.S. Reject tag #B40942682 and informed (b)(6) that slaughter would stop until further notice. I released the stunning area at approximately 0945 hours after receiving verbal corrective actions that the establishment would institute to prevent recurrence.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21528	Florida Beef Inc.	MMJ59 110902 09N-1	09/09/2019	04C02	Livestock Humane Handling	313.15(a)(2)	<p>At approximately 1145 hours on 9/9/19 while performing post mortem inspection tasks, USDA IPP observed a live cow which did not show any indication of having been stunned or knocked moving freely through the slaughter floor production area. The animal was excited and posed an immediate threat to safety of both USDA and establishment personnel in the area. The cow exited the establishment through the door adjacent to the head carousel area. The establishment had immediately suspended knocking until the area was returned to normal. I notified Plant Manager Glenn Goering and (b)(6) of the noncompliance for failing to minimize excitement to the animal during delivery to the knocking area.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21595+P 21595	Mayar's Halal Meat Processing	KPD201 808222 8N-1	08/28/2019	04C02	Livestock Humane Handling	313.2	<p>On August 27, 2019 at approximately 07:55am I, (b)(6) observed the following at Mayar's Meat establishment M21595. I observed a double level trailer with lamb and sheep being unloaded. The animals were being unloaded from the top level of the trailer which is approximately 4 ½ feet from the ground and down a ramp. The ramp frame made of galvanized pipe and flooring made of ply wood with flooring 4x2's for traction nailed 11-14 inches apart center to center. One side of the ramp is covered with a big sheet of 1-inch thick ply wood and the other side covered with 2x6's bolted horizontally to the frame. As I was watching the unloading I could hear (b)(6) (b)(6) voice coming from the inside of the trailer and a man named (b)(6) as described by establishment employee's as the establishments animal hauler) was outside of the trailer holding a paddle. As I was watching, the man (b)(6) outside of the trailer was attempting to drive the lamb/sheep out of the truck using the paddle however with no success. From what I seen some of the animals were resisting from coming down the ramp. (b)(6) then turned the paddle around to the stick end of the paddle and began poking at the animals through one of the trailer holes making contact with the animals approximately 15 times in an attempt to bring down the animals. Stick end of paddle is plastic, ½ inch in diameter, slightly flexible, and with a flat end. As I was watching I could see the animal showing discomfort by jumping away from the poking of the stick. When the animals still didn't come down (b)(6) then climbed up the ramp and grabbed two lambs each by one of their front legs. From what I saw, the two lambs were on their two hind legs when being pulled out of the top of the trailer and when I was able to see them again at the bottom of the ramp on the concrete floor, they were still on their hind legs before they were let go. It's approximately 10 feet in length</p>	OPEN

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							<p>from top of trailer to bottom of the ramp. Once on the concrete floor the lambs walked off behind the other animals and into the pens. That's when Alli saw that I was watching and changed his approach. At that point he then started using the paddle correctly and began using a more vocal approach with the remaining animals in the trailer, until the trailer was completely unloaded. At approximately 11:30am, (b)(6) notified Mr. Schawali Mayar plant owner of Mayar's Meats that the incident is being evaluated and may result to a Humane Handling MOI or a noncompliance to 9CFR 313.2(a). There have been no previous noncompliance records issued for this regulation in the past 90 days.</p>	
M21741	GA Small Ruminant Research and ExtCenter Ag Research College of Ag	QVB541 207571 0N-1	07/10/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>On July 9th, 2019, at approximately 11am, the (b)(6) was performing a Humane Handling Verification Task at Fort Valley State University. Also observing the plant's operations at that time were the (b)(6), (b)(6), and (b)(6). The noncompliance observed was on a bull, where it took 2 shots with a captive bolt for plant employee, Larry Brown, to properly stun the animal. The first shot did not render the bull unconscious, but Mr. Brown took immediate and effective corrective actions by accessing another captive bolt and stunning the bull a second time. The second stun rendered the bull unconscious. A third security shot was then performed after the bull was on the ground. The bull was actually over 30 months of age, but the affidavit sign by (b)(6) stated that both bulls presented for slaughter were under 30 months of age.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M21799	Olson Meat Plant	ACL051 508371 3N-1	08/13/2019	04C02	Livestock Humane Handling	313.1	<p>On 8-13-19 at approximately 1245 hours, I was performing a humane handling task, by observing (b)(6) while he was euthanizing a condemned market hog in pen #5. During this time I observed that the dividing gate in livestock pen 5 had become worn and had numerous jagged edges running along the bottom of the approximately 20 foot long gate, which was deemed potentially harmful for livestock being held inside the pen. Upon further inspection, I found that the dividing gates in pen number 6 and 8 were also defective and potentially harmful. I informed (b)(6) about the situation with the gates and informed him I would be issuing a non compliance for the defective gates. I then applied U.S. Rejected tags B42074852, B42074853, B42074854 to each of the front gates for each pen. I informed (b)(6) the pens would be released for use, once the gates were removed or repaired. These findings constitute non compliance with 9CFR 313.1</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M31965+V 31965	Triumph Foods	NMO25 230815 19N-1	08/19/2019	04C02	Livestock Humane Handling	313.5	<p>At approximately 2130 hours, during routine observation of HATS VIII verification of electric stunning, I, (b)(6), observed a market hog hip-locked in the air gate of the north CO2 butina. The (b)(4) was locked out for emergency maintenance causing the gate to also lock up in the closed position and trap the hog. I noted that the hog was laying down with its feet under it, but had been unable to free itself from the gate. It struggled and vocalized briefly while I and an area employee attempted to manually open or electronically reset the gate without success. I alerted the (b)(6) (b)(6) to the situation. (b)(6) immediately retrieved the captive bolt gun available in the area and effectively and humanely euthanized the hog before pulling the carcass free from the gate and alley. The observation, though not egregious, is not compliant with 9CFR 313.5(2) as the driving of the animal to the stunning chamber was not accomplished with a minimum of excitement and discomfort. The butina and gate were verified to be in working order before slaughter was resumed in the north drive alley. I did not place a US Retained tag, as I was able to maintain visual control of the area during the initial corrective action and verification.</p>	OPEN

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33928+P 33928+V33 928	Frickenschmidt Foods LLC	BWZ14 090824 29N-1	08/29/2019	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	<p>The following non-compliance was observed on 8-28-19 at 1045HRS. During slaughter operations a heifer (quite agitated) had been led to the restraint chute on the kill floor. An establishment employee called out fire in the hole while preparing to stun the animal. I moved to a safe area and waited for the gun shot, after the shot was fired the heifer remained standing and appeared conscious and alert. The employee immediately re loaded and fired a second shot, this time achieving an effective stun. During post mortem inspection the hide was removed so shot placement could be reviewed, the first shot (stun attempt) was near the right eye. The second shot was placed correctly. The establishment employee stated that the heifer had jerked its head to the side at the moment he fired the first shot. It should be noted that the establishment is currently using a .22 magnum rifle firing 40grain copper coated lead bullets. (b)(6)</p> <p>(b)(6) was verbally notified of the non-compliance. A review of NR's showed there had been no similar NR's for a significant time period.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33928+P 33928+V33 928	Frickenschmidt Foods LLC	BWZ28 160908 04N-1	09/04/2019	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	On 9-4-19 at 1520 hours, during slaughter operations a hog was in the restraint chute on the kill floor, (b)(6) was notified by establishment employee of "Fire in the hole". (b)(6) moved to the designated safety area for inspection employees to stand while awaiting the kill shot on the hog. (b)(6) heard the shot and a squeal from the hog. (b)(6) stepped around the corner to observe the animal and the employee was rushing into the break room for additional bullets/rifle. The hog stood in the chute shaking his head and grunting. The employee rendered an additional shot with a Mag and the hog was effectively stunned at this time. (b)(6) requested that the hide be removed from the head of the hog upon post mortem inspection. The first and second shot were both in the effective kill shot range. (b)(6) questioned (b)(6) about the firearms in use. He stated that they are using a .22 small rifle at this time. (b)(6) notified (b)(6) verbally that a non-compliance would be issued.	CLOSED
M33940	Fauquier's Finest Custom Meat Processing, Inc.	DAG29 060805 22N-1	08/22/2019	04C02	Livestock Humane Handling	313.2	One 08/22/19 around 06:00 am, while performing Human Handling, I, (b)(6) Fanous found two hogs without access to water at the last pens#7 and 8 water trough was empty and dry. I told (b)(6) about the noncompliance and animal should have access to the water. He moved the hogs to another pen which had water. I notified (b)(6) and the Mike the plant manager about the non-compliance. this noncompliance with 313.2: Handling of livestock. continued noncompliance could result in addition regulatory or administrative action as described in 9CFR 50004	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M33860	W Diamond M Meats, LLC	LDD031 607560 9N-1	07/08/2019	04C02	Livestock Humane Handling	313.1	On 7/8/19 at approximately 1100 hours while (b)(6) Ganzel was performing a humane handling audit of the establishment; (b)(6) observed the following non-compliances. There was a hog panel bent into the drive alley outside of the offal loading area and additionally a flat piece of metal bracing broken loose from the panel on the west side of the north pen. Both of these non-compliances could injure animals which is non-compliant with 9 CFR 313.1. The non-compliances were shown to (b)(6) (b)(6) and notified that a NR would be issued.	CLOSED
M34360+P 34360	House of Halal Meat, Inc	VUA131 007240 3N-1	07/03/2019	04C02	Livestock Humane Handling	313.1	On July 3, 2019 at approximately 1100 hours while conducting a routine humane handling task, I, (b)(6) observed the following non-compliances: * Holding pens for livestock not keep in a sanitary condition. The establishment is required to house livestock in pens that are regularly washed down. One pen on a very hot day, had very little water available for the animals locked up in the pen. Due to the location of the pens, the filth in the pens would be walked into the kill floor, from there into the walk in cooler. This non-compliance was brought to the attention of Mr. Mohammad, the Plant Owner. In the absence of corrective action, further regulatory or punitive action maybe taken.	OPEN
M34360+P 34360	House of Halal Meat, Inc	VUA050 707002 9N-1	07/29/2019	04C02	Livestock Humane Handling	313.2	On Monday, July 29, 2019 at approximately 0700 hours, I (b)(6) observed the following non-compliance while conducting a humane handling task in the holding pens area: * Two goats confined in a holding pen without food or water. The regulations require water to be available to animals at all times, when locked in or confined. Lyle Iqbad, a Plant manager was notified and the two animals were removed. Future violations could result in stronger disciplinary actions.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34384+V 34384	Elkton Locker and Grocery, Inc.	TLN540 907341 1N-1	07/11/2019	04C02	Livestock Humane Handling	313.2	While verifying HATS category III. Access to water and feed, at 0720 in the receiving alleyway holding area, there was four hogs in this pen. The animals appeared to be resting comfortably. The rubber water pan was placed in the south end of the pen and was empty. In pen 4 and 5, these pens had 2 hogs each. Both rubber water pans were empty and outside of the pens. I asked the slaughter representative about the rubber water pans and he said he gave them water and feed the night before and water when he arrived this morning. (b)(6) was notified of the noncompliance and forthcoming NR.	OPEN
M39894+P 39894+V39 894	Al Anam Farms LLC	JLH531 509271 0N-1	09/10/2019	04C02	Livestock Humane Handling	313.1	At approximately 0630, while performing a Humane Handling task, the following non - compliance was observed: in one of the pens, there was observed to be two areas of fencing which had protruding pieces of fencing which could possibly lead to injury of the goats located in the pen. Also observed was a small section which was missing which could lead to a small animal's head to be stuck if it had placed it in the hole. Goats which were in the pen showed no visible injuries. All goats in the pen were removed and placed in adjacent pen. US Retain Tag B37 528646 was placed on the effected pen until repairs completed. Yahya Nasrat Stanikza, Plant Manager was informed of the establishments failure to comply with 9 CFR 313.1 which states: Livestock pens, driveways and ramps. (a) Livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, splintered or broken planking, and unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M39894+P 39894+V39 894	Al Anam Farms LLC	JLH151 309491 9N-1	09/19/2019	04C02	Livestock Humane Handling	313.1	<p>On Thursday September 19, 2019, while performing a follow up Humane Handling Verification task in the livestock pens, the following non compliance was observed: At 09:00 I inquired to Mohammad Hilal Safi, establishment President, if repairs were completed in the pen area. Mr. Safi stated repairs were complete and that additional fencing had been installed to various openings so as prevent small animals getting trapped in the fencing. At 10:00 am on a visit to the establishment pens it was noted that in the area where additional fencing had been placed, that there were protruding wires on the corner as well as on the bottom of the pens. It was also noted that there were visible hairs on the corner where livestock enter and exit the pens. At this time, there was no livestock in the pen. The establishment has a documented "Robust Systematic Plan to Humane Handling of Livestock - Halal." In the program it states "All holding pens are maintained to be safe, are free of objects which may injure or cause pain, provide good footing for the animals and are free of openings where a head, foot or leg can get trapped." A review of the establishments HALAL Humane Handling Log dated 09/18/19, showed that in the section for "Are free of protruding objects," it was noted to be checked as acceptable. USDA Retain Tag number B37528649 was applied to the vacant pen so as no other livestock would have access. Yahya Stanikzai, Plant Manager, and Mohammad Hilal Safi, President, were notified of the establishments failure to comply with 9 CFR 313.1(a) which states: Livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M39968+P 39968	Donald's Meat Processing, LLC	PIF2414 082912 N-1	08/12/2019	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 10:15am while performing the stunning effectiveness observation portion of a Humane Handling Task the following Non-Compliance occurred; The heifer moved her head at the last second when the shot was fired. The bullet struck just over the right eye, but did not render unconsciousness. The animal did not vocalize. A second shot was effectively applied immediately. This a Non-Compliance under 9 CFR 313.16(a)(1). (b)(6) was notified of the Non-Compliance verbally immediately and management in writing with this Non-Compliance report	CLOSED
M34103+P 34103+V34 103	Gentle Harvest	FDV300 807001 2N-1	07/12/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII- Stunning Effectiveness On 07/11/2019 at approximately 14:55 (b)(6) observed the stunning failure of a hog carcass. While performing slaughter activities (b)(6) observed the employee's first failed attempt to stun the hog. The same employee then tried to stun the hog again with this being another failure. After the second failed attempt the (b)(6) attempted to stun the animal. However, the third attempt was a miss fire and did not puncture the skull of the animal. (b)(6) observed the head of the carcass after removal and observed that the animal had two puncture holes by the nasal cavity and one puncture hole in the cranium area. (b)(6) then attempted a fourth knock which rendered the animal unconscious and slaughter activities were able to continue for two more hogs to finish slaughter operations for the day. (b)(6) stated that he informed Supervisor Tommy Albright that the establishment would be receiving a non-compliance for the stunning failure. (b)(6) Ingram informed the establishment that they are receiving a non-compliance for failure to meet regulatory requirements of 9 CFR 313.15.	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M34103+P 34103+V34 103	Gentle Harvest	FDV251 207121 2N-1	07/12/2019	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII- Stunning Effectiveness On 07/12/2019 at approximately 1105 hours while performing slaughter activities (b)(6) observed the following non-compliance. (b)(6) observed an establishment employee apply the first knock to the animal, however it was not effective in rendering the animal unconscious. After the first knock was applied the animal was able to raise its head up and vocalize. Upon further observation FI Harris stated that he visually saw that blood had appeared on its head from the attempted knock. The establishment employee then retrieved the back up captive bolt gun to apply a second knock which was successful in rendering the animal unconscious. At approximately 1110 hours (b)(6) informed the establishment that they should stop operations due to the failure in rendering the animal unconscious on the first knock. Upon arrival at the establishment Shara (b)(6) applied U.S. Reject/Retain tag# B37318585 to the establishments knock box at approximately 1230hrs until corrective actions could be determined and implemented. Plant Supervisor Tommy Albright stated that he was going to remove the defective captive bolt gun and send it off for repair to the manufacture instead of it being a in house repair. The establishment was released to operate at 1305 hrs. due to Mr. Albright providing corrective actions to prevent reoccurrence of a stunning failure. Establishment was notified of Regulatory Control Failure of 9 CFR 313.15.</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40306	Atlas Meat Company	HEU471 308351 9N-1	08/15/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV – Ante mortem Inspection On August 15, 2019, at approximately 7:35 a.m., I (b)(6) was conducting Ante-Mortem Livestock Inspection and observed the following noncompliance. I observed an establishment employee open the gate to a pen and proceeded to grab a lamb by the neck and back, to move it into the alley. Juan Meza (Establishment Manager) was in the back of the pen. Mr. Meza was moving the group of lambs towards the alley, to walk the animals up to the stunning area. The employee in the front was unsuccessful in pulling the animal out of the pen. The same employee repositioned both of his hands around the neck by grabbing the animals pelt and pulled in an aggressive jerking motion. The animal was resisting by jerking his head back and trying to move its feet backwards. The employee was pulling and jerking the animal neck /head the whole time. I never heard the lamb vocalize. I could see the animal was resisting to the point his back legs were sliding out and starting to fall back on it's rear end. At that point I yelled stop and started waving my hands to the employee, to get his attention and stop the action. Mr. Meza stated he (referring to the employee) was allowed to grab at the head. I stated to Mr. Meza that he (referring to his employee) is allowed to hold a head in order to restrain an animal; however, he was on the verge of dragging the animal and that is not allowed. I verbally notified Naeem Mobarez (Establishment Owner) that a noncompliance would be issued. There are no known associated NRs for the same root cause within the last 90 days.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M40147+P 40147+V40 147	This Old Farm Meats and Processing	LDY101 207583 0N-1	07/30/2019	04C02	Livestock Humane Handling	313.16(a)(1)	Approximately at 11:30 am the following non-compliance in humane handling directive 6900.2, category VIII, "stunning effectiveness" was observed. (b)(6) observed slaughter floor manager Lucas Roosa apply the firearm a 22-hand gun to animal #19 (pig) and shoot. The first shot did not render the animal unconscious, the animal was vocalizing/squealing and moving its head around. Mr Roosa then took a second shot immediately, with a 9 mm hand gun and rendered the animal unconscious. (b)(6) informed Mr. Roosa verbally of the non-compliance due to the first shot not rendering the said animal unconscious. (b)(6) tagged the knock box and stopped production. (b)(6) informed Owner Jessica Roosa of the non-compliance and she gave a corrective action verbally and in writing that they will retrain with the humane handling procedures.	CLOSED
M40147+P 40147+V40 147	This Old Farm Meats and Processing	LDY051 309560 3N-1	09/03/2019	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	On September 3, 2019 the following non-compliance was observed by (b)(6). At approximately 9:40 am Lucas Roosa gave a stunning (gunshot) with a 22 caliber implement (gun). After the first shot the animal (hog) squealed (vocalized). Luca Roosa the immediately took a second stunning (shot) to render the animal (hog) unconscious. Lucas Roosa was informed verbally of this noncompliance.	CLOSED
M44168	Mariana's Meat Harvesting Corp.	XHX251 909192 4N-1	09/24/2019	04C02	Livestock Humane Handling	313.16(b)(1) (iii)	At around 9:45 am, upon observing establishment employee handling of first swine slaughter of day, the swine restraining device use was not properly secure on holding animal. stunner did drop the animal on first shot and somehow the lock restraining device open and animal got up and than second shot totally drop down. No US tag applied as employee immediately secure the lock device and no issue on number 2 swine. (b)(6) (b)(6) was present and discussed with him I what happen.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44779	Faulkner Meats	VMV06 130701 30N-1	07/30/2019	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 1340 hours, I, (b)(6) observed the following noncompliance after a small Charolais heifer was led into the knockbox for halal slaughter (the establishment elects to stun cattle with a firearm before the ritualistic cut is made) I stepped behind the wall of the stunning area awaiting discharge of the firearm. I entered back within sight of the heifer after hearing the report of the rifle and observed the heifer still upright and circling in the knockbox, at this time (b)(6) immediately handed the rifle to another employee and the animal was effectively stunned. I observed two visible entry wounds on the heifer, one was well placed but the other was just below the eye. (b)(6) stated that the animal raised it's head just as he made a shot attempt. I informed (b)(6) of the noncompliance and this impending written documentation.	OPEN
M44779	Faulkner Meats	VMV14 120731 30N-1	07/30/2019	04C02	Livestock Humane Handling	313.2	At approximately 1053 hours (b)(6) and (b)(6) observed the following noncompliance while verifying humane handling tasks. Two small steers that had been presented for USDA inspected slaughter were being held in the barn alley with no visible access to water. I entered the pen for a better view of the area at the greatest distance from our vantage point and verified that there was no water or water access available to the animals. I immediately informed (b)(6) of our observations and requested his presence in the barn, at this point (b)(6) opened the gate to the scale area where water was located and propped it open. I informed (b)(6) at this time that water must be made available to livestock at all times.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44779	Faulkner Meats	VMV48 060956 26N-1	09/26/2019	04C02	Livestock Humane Handling	313.2	<p>The (b)(6) made the following observation while performing the livestock Humane Handling Activities Tracking System (HATS) task at Faulkner Meats (M44779) Taylorsville, KY: Upon arriving at approximately 0930 hrs. EDT a trailer was found staged for unloading at the barn; cattle and sheep were occupying the trailer. Plant personnel arrived at approximately the same time and began caring for the animals already housed in the holding pens. After some delay in unloading the trailer, the SVMO inquired of the trucker as to what time he arrived at the premises; he responded that he arrived around 0905 hrs. EDT. At 1042 hrs. EDT the first animal was unloaded from the trailer. Per title 9 CFR 313.2(e) "Animals shall have access to water in all holding pens"; in this instance the trailer was being used as a holding pen for the animals. Establishment owner Mr. Mitchell Warren was informed of this observation and the forthcoming non-compliance record. The above observation continues a recent trend in humane handling issues at the establishment.</p>	OPEN
M44801+P 44801	Halal Transaction of USA, LLC.	XJW590 908173 0N-1	08/30/2019	04C02	Livestock Humane Handling	313.2	<p>8/19/19t 7:30 am while doing humane handling task in the plant at Halal International we noticed that there was no water available for Pen #1 and Pen#5. The two pens had no source available to hold water that the calve's in pen 1 can drink , as well as pen 5 that the goats and lambs could drink. this is in violation to regulation 313. 2 (e).</p>	OPEN

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44910+P 44910+V44 910	Abattoir Associates Inc.	JCH251 108401 4N-1	08/14/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On 14, August 2019, at approximately 0945 hours while performing humane handling verification activities at Establishment 44910, the Slaughter inspector observed and reported the following Noncompliance. The Establishment moved a bovine steer into the stun box for stunning with a hand-held captive bolt. The steer was standing freely in the stun box. As the Stunner made the first stunning attempt with the captive bolt, the steer moved its head. The stunning attempt hit the head as evidenced by both the steer's sudden movement away from the stunner and a spot on the head where the captive bolt hit, but the steer remained standing. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which rendered the steer insensible. Mr. John Young, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1)	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M44910+P 44910+V44 910	Abattoir Associates Inc.	JCH421 208232 8N-1	08/28/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On 28, August 2019, at approximately 1250 hours at Establishment 44910, the Slaughter inspector observed and reported the following Noncompliance. The Establishment moved a market hog into the stun box for stunning with a hand-held captive bolt. The market swine was standing freely in the stun box. As the Stunner made the first stunning attempt with the captive bolt, the market swine moved its head. The stunning attempt hit the head as evidenced by both the swine's sudden movement away from the stunner, vocalization, and a spot high on the crown of the head where the captive bolt hit, and the market swine remained standing. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which rendered the market swine insensible. Mr. John Young, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1).	OPEN
M44950+P 44950+V44 950	Schrader Farms Meat Market	JKL030 708221 3N-1	08/13/2019	04C02	Livestock Humane Handling	313.1	HAT category III water and feed availability At approximately 0755 I observed the following. Due to an empty bucket (knocked over), the 2 pigs residing in pen #2 and 3 pigs in pen#3 had no access to water. Upon verbal notification, (b)(6) immediately filled the bucket allowing the pigs access to water. Plant management Kara was also verbally notified of the noncompliance with 9CFR 313.2(e).	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46200+P 46200	Caledonia Packing LLC	BYO070 609321 9N-1	09/19/2019	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 0825 on September 18, 2019 (b)(6) was observing knocking at M46200 (HATS Category VII). While an establishment employee was attempting to render a steer unconscious in the knock box, the animal was hit with the captive bolt gun. After noticing that the shot sounded different from the others, she observed the animal remained standing in the knock box, vocalizing and its eyes were tracking the employee who was attempting to administer a second attempt. After the second attempt, the animal then fell to the ground and no longer vocalized. A safety shot was also administered. At the head rack, three holes were visible where the captive bolt had entered the steer. (b)(6) proceeded to notify the owner, Mike DeVries, about the noncompliance and showed him the three entrance holes in the head. This NR is issued for the noncompliance with 9 CFR 313.15(a)(1).	OPEN
M46707+P 46707	Hartland Abattoir Corp	FMZ56 060724 24N-1	07/24/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Livestock Humane Handling Category VIII - Stunning Effectiveness At approximately 07:30 am, the following noncompliance was observed. A captive bolt stun was applied to head of a market swine. The captive bolt hit the swine but it remained standing and vocalized. The establishment took immediate corrective actions to re-stun with a .22 rifle shot, which rendered the swine unconscious. The swine then remained unconscious throughout the bleeding process. I informed Establishment Owner Christine Britt of the noncompliance. This is noncompliant with 9 CFR 313.15(a) (1) Review of the past 3 months showed no similar noncompliance.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45358+P 45358	Countrystyle Meats	HFJ581 107472 2N-1	07/22/2019	04C02	Livestock Humane Handling	313.16(a)(1)	On July 17, 2019, at approximately 0845 hours while doing the Humane Handling Activity Tracking Systems (HATS) category number VIII stunning effectiveness, I observed a market steer walk into the knock box. The steer then walked into the head chute and was restrained. When the steer was restrained it showed signs of being anxious as well as having lots of head movement. The designated employee used a chain to secure the steer's head to minimize the head movement. The employee then went to stun the steer with a 357-magnum revolver. The revolver discharged but was unsuccessful in rendering the steer insensible, instead the bullet was lodged in the bridge of the nose. The steer remained standing, thrusting its head, and was fully conscious. The same revolver was then placed at the top of the head of the steer and then discharged. The steer was then rendered insensible on the second attempt. The establishment was not in compliance according to CFR 313.16 (a) (1) which states "...immediate unconsciousness in the animal by a single shot before it is shackled..." I then informed the establishment's owner Kenneth Yoder about the situation that lead to a non-compliance being written.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45358+P 45358	Countrystyle Meats	HFJ100 808382 1N-1	08/15/2019	04C02	Livestock Humane Handling	313.16(a)(1)	On August 15, 2019, at approximately 1400 hours while doing the Humane Handling Activity Tracking Systems (HATS) category number VIII stunning effectiveness, I observed a market steer walk into the knock box. The steer then walked into the head chute and was restrained. The steer was calm when entering the knock box as well as the head chute. The designated employee used a chain to secure the steer's head to minimize the head movement. The employee then went to stun the steer with a 357-magnum revolver. The revolver discharged but was unsuccessful in rendering the steer insensible, instead the bullet was lodged in upper part of the steer's head. The steer remained standing, thrusting its head vigorously, and was fully conscious. The same revolver was then placed in the middle of the eyes, then discharged. The steer was then rendered insensible on the second attempt. The establishment was not in compliance according to CFR 313.16 which states "...immediate unconsciousness in the animal by a single shot before it is shackled..." I then informed the establishment's owner Kenneth Yoder about the situation that lead to a non-compliance being written.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP241 307181 9N-1	07/19/2019	04C02	Livestock Humane Handling	313.1	<p>At approximately 1030 hours while assessing the condition of the livestock pens I observed the second (upper) holding pen for ante-mortem inspection to be in poor repair. The pen contained a loose end eroded board located adjacent to the primary entrance gate. The erosion created a hole/gap measuring approximately six inches in width and eight inches in length creating rough jagged edges on the board and exposing two nails and/or bolt heads protruding approximately an inch and a half which were used to anchor the boards to the post. The due to the severity of the erosion, the board was no longer attached to the post and contacting the ground. This pen is utilized to hold livestock and offer animals to FSIS personnel for Ante-Mortem Inspection. Given the current condition of the pen, its use can cause injury to the head, feet, and legs of an animal. Regulatory control action was initiated by placing US Rejected / Retained tag number B19 890216 on the primary entrance gate to prevent the use of the pen. 9 CFR 313.1(a) requires federal inspected establishments to maintain their livestock pens in good repair, free of protruding objects, free of loose/broken boards that could cause animal injury. The loose/eroded board, jagged edges, and protruding nail/bolt does not meet this regulatory requirement. (b)(6)</p> <p>(b)(6) was informed and shown the above noted observations and the use of regulatory control action.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48087+P 48087+V48 087	Marin Sun Farms, Inc.	RAP381 308093 0N-1	08/30/2019	04C02	Livestock Humane Handling	313.1	On 8/30/2019 at approximately 1000 while performing the Livestock Humane Handling task in the outdoor pen area, I, (b)(6), observed the following noncompliance. In the cattle chute, I observed a metal panel outside the knocking box that was completely rusted, and the top portion had degraded to create a rough, sharp metal edge approximately 12 inches long. There was also rust degradation and sharp metal flanges of 1-2 inches in size on a piece of metal near the ground below the afore-mentioned panel. Additionally, midway up the chute approximately three feet off the ground, a metal hinge protrudes slightly, and the bottom of the hinge has degraded and rusted to produce sharp metal flanges. The areas of concern in the cattle chute were tagged with U.S. Rejected tags No's. B26818757 and B26818758. I informed (b)(6) (b)(6) of the noncompliance. As the establishment failed to maintain the chute in good repair to be free from sharp or protruding objects that could cause injury or pain to animals, a violation of 9 CFR 313.1 exists.	CLOSED
M19290+P 19290+V19 290	Working H Meats, LLC	NAW12 150845 06N-1	08/06/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS category VIII, stunning effectiveness At approximately 1400 hrs, while performing the review and observation part of the humane handling task, (b)(6) and I observed the following; The establishment was stunning hogs for slaughter, (b)(6) was inside the Shute and stunned the hog with the captive bolt. The captive bolt stuck to the head, the pig looked unconscious to him, but when he pulled on the captive bolt to remove it and he realized the pig was still conscious. (b)(6) immediately handed him the .22 rifle and he shot the pig to render it unconscious for a second time. (b)(6) informed Terrie Hardesty, plant owner, of this noncompliance. I informed (b)(6) verbally and in writing of the noncompliance of 9 CFR 313.15(a)(1).	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45572+P 45572	Ozark Meats Inc	LJF0015 092119 N-1	09/19/2019	04C02	Livestock Humane Handling	313.2	On 09/19/19 at approximately 0910 hh. while reviewing humane handling conditions in the holding pen area, the following deviation was observed. In the main holding pen area, I observed seven large Wagyu cross beef. I observed one approximately eight-gallon steel water trough used to supply livestock with water. At the time of my observation, the water trough was empty. The amount of water troughs in the pen was insufficient for beef being held. The establishment is in violation of 9 CR 313.2(e) for failure to provide water for animals being held.	CLOSED
M48144	Abe's Kosher Meats LLC	CFR461 207590 1N-1	07/01/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning On 7/1/19 at approximately 10:30 am, I (b)(6) was performing a routine observation of stunning effectiveness, when I observed an ineffective stun. The calf was moving around in the stunning area, and the stun operator followed it to stun it. The stun operator came up behind the calf and put the hand-held captive bolt (HHCB) device against the skull. The calf moved its head at the last second and the bolt hit off center to the right. The calf fell but got back up and took a few steps; the calf did not vocalize. The stun operator reloaded the HHCB device while a second employee restrained the calf. The calf was effectively stunned with the second stun attempt. U.S. Reject tag B37602844 was applied to the stun box and the Denver District Office was contacted through supervisory channels. Upon review of the dressed head, I observed two stun holes had penetrated the skull. I verbally notified (b)(6) of the non-compliance. The establishment is currently under a Humane Handling Verification plan for an unrelated event.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48144	Abe's Kosher Meats LLC	CFR111 808471 2N-1	08/12/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV - Antemortem Inspection On August 12, 2019, at approximately 1 pm, I (b)(6) (b)(6) was routinely observing stunning at Abe's Kosher Meats when I observed an employee, while driving calves into the stunning box, pick up a calf with his hands underneath both forelegs and drop it from about a foot in height into the stunning box. The calf's legs folded up and it landed on its side, but did not vocalize or show any signs of pain. It did not stand up after this prior to being stunned. This is noncompliant with 9 CFR 313.2a, which states, "Driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals." I informed both (b)(6) and (b)(6) (b)(6) of the incident. (b)(6) (b)(6) offered the following corrective actions: Retrain all employees in the handling of bob veal calves, and Issue the employee responsible a written warning.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48144	Abe's Kosher Meats LLC	CFR500 908262 1N-1	08/21/2019	04C02	Livestock Humane Handling	313.2	<p>At 0930 hours on 8-20-19, (b)(6) was notified by plant supervisor Juan Estela that there would be no kill for the day due to a shortage of animals. Later in the day at approximately 1600 hours after the fabrication department was nearing completion, (b)(6) was notified by (b)(6) (b)(6) that there were animals in the back-pen area. (b)(6) also noticed that the 3 water barrels in the holding pen were empty of water. (b)(6) verified the absences of supplied water for the held animals. (b)(6) also observed 3 barrels empty and 15 head of dairy cows in the pen without access to water. (b)(6) went to discuss the unloading of animals without water available with plant management. (b)(6) spoke with (b)(6) and informed her that a non-compliance report will be documented to record the deficiency. (b)(6) immediately had plant personnel fill the 3 barrels with water and open the gate to the inside pens to allow access to more water and shade. Records revealed no non-compliance records documented in the past 90 days for similar cause.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48144	Abe's Kosher Meats LLC	CFR511 709451 9N-1	09/19/2019	04C02	Livestock Humane Handling	313.1	<p>At approximately 1300, while in the livestock pens area performing antemortem inspection, I (b)(6) observed the following noncompliance: A hole measuring approximately 9" by 5" and 14" deep was found in the floor near the middle of the suspect pen. A dairy cow in the suspect pen at the time of the finding was moved to another pen so as to avoid stepping into the hole. The hole is through a particle board material which was installed to serve as flooring over a cavity. According to the (b)(6) (b)(6), the floor has been repaired numerous times to eliminate the hole. The material chosen to serve as flooring was not sufficient to prevent formation of the hole. The suspect pen was rejected with US Rejected Tag B37602859. (b)(6) was notified of the noncompliance. At approximately 1600, I verified the hole was repaired and removed the US Rejected Tag. This noncompliance constitutes a failure of the establishment to comply with 9CFR 313.1. A review of establishment noncompliance records does not reveal a prior record to associate with this record.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48144	Abe's Kosher Meats LLC	CFR111 609372 ON-1	09/20/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III: Water and Feed Availability</p> <p>When the slaughter crew went for lunch break at approximately 12:30 pm, plant employees had loaded 8 bob veal calves into the knock box and left. The (b)(6) indicated no more than five calves should be in the box at a time. Water was not provided in this knock box area. The calves were expected to be held for the employees' 30 minute lunch period in this area. Upon observation, I, (b)(6), noted three calves were laying on the floor with five calves standing directly over and on the calves laying down. There were no observations of distress exhibited by any of the calves in the knock box area. I immediately notified (b)(6), (b)(6), (b)(6), (b)(6), (b)(6) and another QA member removed the calves from the Knock Box. The new holding pen allowed for a higher stocking density. The knock box was tagged with US Rejected Tag B37602858. This incident is a non-compliance with 313.2(e), animals should have access to water in all holding pens and, if held longer than 24 hours, access to feed. The US Reject tag was removed at 4:02pm when adequate corrective actions were provided. This non-compliance will be associated with NR # CFR5009082621N. The establishment is currently on a verification plan for a Humane Handling incident that resulted in a Suspension held in Abeyance on 5/17/2019.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45853+P 45853	Macelleria DeMaria LLC	EGQ521 307520 3N-1	07/03/2019	04C02	Livestock Humane Handling	313.16(a)(1)	<p>HATS Category VIII- Stunning Effectiveness On July 3rd, 2019, at approximately 0955 hours while performing humane handling verification activities at Est. M45853 IPP observed the following Noncompliance. The establishment brought a bovine steer into the stun box and were using a .22 caliber rifle to stun the animal. When the employee said he was ready to fire, IPP stood behind the door that had a see-through window. While employee discharged the 1st shot into the forehead of the steer, IPP observed the steer remained sensible, standing in the stun box and was flailing his head but wasn't vocalizing or showing any other signs of discomfort. The stunner immediately took corrective action and when he got a clear shot he discharged the 2nd shot into the forehead of the steer which rendered the animal insensible and was effective (steer fell to the floor with no blinking or rhythmic breathing). One security shot was taken after the steer was rendered insensible. When IPP examined the skull he observed the 3 bullet holes. The 1st hole was low which seemed to be caused by the movement of the animals head, the 2nd and 3rd holes were directly in the target area. This observation combined with what the IPP seen, has confirmed that the 1st shot attempt did not render the animal immediately unconscious. The establishment is using a Robust Systematic Approach and has a good history of consistently rendering animals insensible with a single shot. Plant manager Pedro Silva was immediately notified of the Noncompliance and the establishments failure to adhere to the regulatory requirements of 9 CFR 313.16(a)(1).</p>	CLOSED

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EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45853+P 45853	Macelleria DeMaria LLC	EGQ561 207172 5N-1	07/25/2019	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII- Stunning Effectiveness On July 25th, 2019, at approximately 0950 hours while performing humane handling verification activities at Est. M45853 IPP observed the following Noncompliance. The establishment brought a bovine steer into the stun box and were using a .22 caliber rifle to stun the animal. When the employee said he was ready to fire, IPP stood behind the swinging door that had a see-through window. While employee discharged the 1st shot into the forehead of the steer, IPP observed the steer remained sensible, standing in the stun box and was flailing his head but wasn't showing any other signs of discomfort. The stunner took immediate corrective action and when he got a clear shot he discharged the 2nd shot into the forehead of the steer which rendered the animal insensible and was effective, the steer fell to the floor. USDA Reject Tag# B41880818 was applied by IPP to the stun box and Plant manager Pedro Silva was notified of the humane handling noncompliance. When IPP examined the forehead he observed the 2 bullet holes, The 1st hole was about 2 inches above the right eye which was outside the target area, the 2nd hole was directly in the target area. This observation combined with what the IPP seen, has confirmed that the 1st shot attempt did not render the animal immediately unconscious. The establishments failed to comply to the regulatory requirements of 9 CFR 313.16(a)(1).	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45856+V 45856	Prime Pork LLC	ODB28 140725 16N-1	07/16/2019	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	While conducting Ante-Mortem inspection and observing HATS Category IV - Handling During Ante-Mortem Inspection, I observed the following noncompliance. At approximately 11:37 am, while standing on the catwalk, I observed a plant employee driving a group of hogs from pen 16 into the alleyway leading to the CO2 stunner. 1 hog had gotten by the employee and went back into pen 16. The employee ran into the pen forcing the hog into a pace faster than a normal walk. The hog did turn back toward the alley way and the employee then ran behind the hog again forcing the it into a pace faster than a normal walk. As soon as I observed this, I pointed it out to (b)(6) who immediately went to the employee and discussed the issue with the employee. When I came down from the catwalk, I discussed the issue with (b)(6) (b)(6) and told her that I would document the situation on an NR. This situation is noncompliant with 9 CFR 313.2(a), and 313.5(a)(2).	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M45858	Puget Sound Processing, LLC	QSV511 107452 4N-1	07/24/2019	04C02	Livestock Humane Handling	313.15(a)(2)	<p>On 7-24-19 at approximately 8:05 am I, (b)(6), was performing Pre-Op when plant personnel notified me that a cow had escaped during truck unloading. At approximately 8:15 am I followed plant personnel around to the field behind the official premises, but I did not observe the cow. At approximately 8:45 am I returned to the area and observed the animal in the field with plant management and personnel. I did not observe anything abnormal pertaining to the animal upon visual inspection. At approximately 10:15 am I accompanied plant personnel to observe driving of the animal back to the holding pens. All plant personnel on site attempted to carefully walk the animal back to the pens. The animal backtracked and ran towards the Chehalis river. Nothing abnormal via a visual inspection of the animal was observed. The animal then fell into a sinkhole and became trapped in the hole. The animal appeared calm. The animal did not vocalize or show any signs of discomfort or pain. The establishment was unable to remove the animal from this location humanely and contacted an outside source to come euthanize the animal. I did not observe the stunning of the animal, but I did verify a single stun hole within the skull of the dressed head. I verbally informed plant management Jon Transue and Deion Whitt that a noncompliance record would be issued. There has not been a recent similar noncompliance.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M51252	LaCoe's Custom Butchering LLC - Carey Plant	UYF0910071911N-1	07/11/2019	04C02	Livestock Humane Handling	313.15(a)(1)	Stunning Effectiveness On July 11, 2019 at approximately 0945 hours, I, (b)(6) was in the USDA office at Est 51252 and watching the stunning of a heifer in the stunning chute directly beside the office doorway. I observed the establishment employee discharge a captive bolt against the forehead of the heifer, the heifer backed away and thrashed but did not drop. The employee immediately took a second captive bolt gun, which was ready at hand, and discharged into the heifer's head, effectively stunning her. I examined the skinned head and observed two holes. The first hole did not fully penetrate the skull and the second, directly beside it, was fully penetrative. No regulatory control action was taken due to the establishment's prompt corrective action. I informed Plant Owner Scott LaCoe of this noncompliance with 9 CFR 313.15(a)(1) and that a noncompliance record would be forthcoming.	CLOSED
M45928+P45928	Central Missouri Meat & Sausage	CRN1707091006N-1	09/06/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII--Stunning Effectiveness On 9/6/2019 at approximately 0620 hours (b)(6) called me, (b)(6), and informed me that he had observed a stunning failure on a Heifer in the establishments slaughter area. An establishment employee applied the initial stun with a hand held captive bolt stunner after which the animal stepped backwards, was fully alert with normal blink response and head tracking. Another establishment employee immediately applied a second stun with the backup captive bolt stunner which was effective. I initiated regulatory control by applying U.S. Rejected Tag #B35132142 to the knock box. This is a failure to meet the regulatory requirements of 9CFR 313.15(a)(1). Corrective actions were implemented and tag was removed at approximately 0745 hours. I informed the establishment owner that a noncompliance record would be issued.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-05

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48219+P 48219+V48 219	Panola County Processing LLC	QGD49 100839 02N-1	08/02/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.16 (b)(1)(ii)		CLOSED
M48226	American Halal Meat	MEN43 070737 10N-1	07/10/2019	04C02	Livestock Humane Handling	313.16(a)(1)	<p>HATS Category VIII Stunning Effectiveness While conducting a Livestock Humane Handling Task (HATS Category VIII Stunning Effectiveness) at approximately 1410 hours on 09 July 2019 I (b)(6) observed the plant owner attempt to stun a 440 pound and what appeared to be an appropriately restrained cow with a gunshot. After the discharge of the weapon the cow remained standing and appeared to be alert and oriented. The plant owner immediately called out to everyone on the production floor that a second stun is being conducted. The plant owner immediately applied the second stun rendering the animal unconscious. Post-mortem inspection of the head revealed two stunning holes one was centered between the eyes and top of the head and the other approximately one inch to the right and 1/4 inch below the first. I informed the plant owner of the forthcoming non-compliance failing to meet 9 CFR 313.16(a)(1).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48226	American Halal Meat	MEN11 130723 25N-1	07/25/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category IV – Ante-mortem Inspection</p> <p>While conducting a Livestock Humane Handling task on Thursday, 25 July 2019, at approximately 0830 I (b)(6) observed a goat lying next to the fence with what appeared to be its' head caught in the fencing on the south side of the main corral. Closer inspection revealed the goats head was trapped between the ground and lower bar, approximately 4 1/2 inches by 6 1/2 inches, of an overlapping section of the livestock paneling. I informed the plant owner of the situation. The plant owner freed the goat and then safeguarded all livestock by herding to the north side of the main corral. The openings in the paneling are approximately 7 1/2 inches by 5 1/2 inches posing a significant hazard of horned livestock becoming ensnared. I observed an additional 32 feet of the above described livestock paneling along the eastern side. I placed U.S. Reject Tag #B34734346 on the southern gate from the unloading ramp and U.S. Reject Tag #B34734349 on the northern gate containing the south side of the main corral. The plant owner was notified of the forthcoming NR which shows failure to meet 9 CFR 313.1(a).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46010	North Cascades Meat Producers Cooperative	IGN391 407381 ON-1	07/09/2019	04C02	Livestock Humane Handling	313.1	<p>During anti-mortem inspection (b)(6) observed that the pens for USDA slaughter animals had torn and bent sheet metal protruding into the pens the animals were in. The four pens ran the length of the barn with the barn being a common wall for all of them. The metal was siding for the barn and protruded anywhere from an inch to approximately 6-8 inches into the pens down the entire length. I asked (b)(6) for the site evaluation form that is to be completed prior to the mobile slaughter truck and USDA inspection arriving. The form was only partially filled out with nothing marked as completed for the pens. There was a notation in the margins that the owner was working on these areas however it had not been signed off on. I did not observe any animal injured due to these issues. I informed (b)(6) (b)(6) and (b)(6) Hill of the non compliance and that I would be issuing a written Non Compliance Report. A review of the establishments non compliance records does not show a similar NR written in the past 90 days.</p>	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46010	North Cascades Meat Producers Cooperative	IGN391 707011 7N-1	07/15/2019	04C02	Livestock Humane Handling	313.1	On July 15, 2019 while observing Humane Handling regulations at the North Cascade Meat Producers Cooperative mobile slaughter site with (b)(6) the following Non-Compliance was observed; The USDA holding pen had a broken pen separator that was falling over. The 2x6 boards of that divider were broken and had sharp jagged ends hanging down into the pen where the pigs were being held. Three of the pigs were laying down directly under this broken section. This is noncompliant with regulation 9 CFR 313.1(a); Livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, splintered or broken planking, and unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired. The outside pens had jagged metal along the side of the barn which was a part of the pens. This non-compliance was also observed on the previous slaughter dated 7/9/19 and NR# IGN3914073810N/1 was issued at that time. Nancy Hibbing was verbally informed that a written Non-Compliance Report would be issued.	OPEN

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46081+P 46081	Foster's Meat	WLD13 080930 04N-1	09/03/2019	04C02	Livestock Humane Handling	313.16(a)(1)	<p>On September 3, 2019, at approximately 12:15 hours, a hog was moved to the knocking box with minimal excitement at establishment M46081. While performing humane handling verification activities, the following noncompliance was noted. The establishment employee responsible for stunning hogs used a .45 caliber hand gun to perform stunning activities on a hog. When the shot to the head was performed it did not create immediate unconsciousness; the hog fell to the floor but then returned to its feet and blood was seen coming from the hog's nostrils, but the hog was still standing and moved its head to the side. The responsible establishment employee then took immediate action and placed and fired a second shot to the hog's head that immediately created insensibility. At this time, I placed a USDA reject tag on the knocking box and the tag No. B37426528. Ms. Jennifer McAbee, plant owner, was informed of the noncompliance that would be issued for violation of 9CFR 313.16(a)(1) "Utilization of firearms, required effect; handling. (1) The firearms shall be employed in the delivery of a bullet or projectile into the animal in accordance with this section so as to produce immediate unconsciousness in the animal by a single shot before it is shackled, hoisted, thrown, cast, or cut. The animal shall be shot in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort".</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M48260	Walhalla Valley Smokehouse & Market, LLC	YSX1414085220N-1	08/20/2019	04C02	Livestock Humane Handling	313.2	<p>HATS Category III- Water and Feed Availability (9 CFR 313.2) On August 20, 2019, at approximately 1050 hours, while conducting a humane handling inspection of the holding pens at Walhalla Valley on a slaughter day, (b)(6) and I, (b)(6) observed that 10 pigs were loose in the pathway of the pens, but were not in a pen, which meant that they did not have water available to them. There was a water bucket in each of the pens, but the animals did not have access. In accordance with 9 CFR 313.2(e) water must be available to livestock in all holding pens. I notified Kurt Morrill, Plant Manager, of the noncompliance at the time of the incident. The affected animals were immediately placed in Pen 3 which had a full bucket of water available to them. This noncompliance represents a failure of the plant to demonstrate it is implementing a robust humane handling plan. Further noncompliance may result in regulatory control action. Submitted by (b)(6)</p> <p>(b)(6)</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46184	Steve & Laura, LLC	IIS0907 092727 N-1	09/27/2019	04C02	Livestock Humane Handling	313.1	At 1025 AM Steve and Laura LLC mobile slaughter unit (M46184) was performing slaughter operations at Swisslane Dairy - Steer Barn location. (b)(6) observed the following noncompliance. After being approved for antemortem (HATS Category IV) (b)(6) observed a steer who whose head got caught in an opening on the side of the USDA holding pen. The steer found an opening in the fence, which is made of two horizontal guardrails. The steer then slid its head into a narrower area of fence, the top rail being guardrail and the bottom a wooden board, this prevented the steer from being able to remove its head. The steer was standing with its head caught vocalizing in distress. The employees of Steve and Laura LLC tried to move the steer back to the wider area in the fence to remove its head, but the steer would not move. In trying to remove itself from the fence, the animal's head had been cut and bleeding was observed. The animal remained standing and ambulatory throughout and was humanely euthanized for slaughter. (b)(6) notified (b)(6) (b)(6) of the noncompliance.	OPEN
M46240	Light Hill Meats	MKE58 130840 13N-1	08/13/2019	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII- Stunning Effectiveness AT approximately 1025 hrs. the establishment attempted to stun a beef heifer weighing 1,130 lbs., using a captive bolt stun device. The first stun was observed to be ineffective as the animal displayed signs of sensibility wherein the animal remained standing and the eyes were alert and tracking. The establishment stun employees immediately recognized the stun failure and delivered an immediate and effective second stun, using a captive bolt stun weapon. The animal remained insensible thereafter. The establishment was immediately notified of the non-compliance and forthcoming issuance of the associated non-compliance record. The knock box was immediately tagged, pending acceptable corrective actions being proffered.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46292	KB Quality Meats	ASX291 008290 1N-1	08/01/2019	04C02	Livestock Humane Handling	313.2	<p>On July 31 2019, at 0700 hours, the time I arrive to the establishment, I observed 2 lambs left in the side pen by an establishment customer. Upon inspecting the lambs while in the pen, I noticed no water was provided nor do I know the exact time the lambs were dropped off. (b)(6)</p> <p>(b)(6) was notified of the matter and he accommodated the lambs with clean water. Owner Kevin Barnhill was notified of the issue. The establishment was in noncompliance with 9 CFR 313.2 (e) which requires that water be available to livestock in all holding pens. I notified Kevin Barnhill that I would be issuing a noncompliance record.</p>	CLOSED
M46351	Meatworks	KJR251 107142 6N-1	07/26/2019	04C02	Livestock Humane Handling	313.1	<p>HATS Category I On July 26, 2019, at approximately 1100 hours while performing the water and feed availability humane handling verification activity at Establishment M46351, the following Noncompliance was observed: The Establishment had 3 pigs in a pen with an unnecessarily large opening at the bottom (approximately 7.5 inches). One of the pigs laid down next to the opening and its head became stuck underneath the pen fence. The pig was vocalizing and struggling to free itself. (b)(6)</p> <p>(b)(6) took immediate corrective action by going to the pens and lifting the fence using a crowbar, which freed the pig.</p> <p>(b)(6) was notified of the Noncompliance and Establishment's failure to adhere to the regulatory requirements 313.1(a).</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46380	Pickrell Locker and Smokehouse	UOQ4111094324N-1	09/24/2019	04C02	Livestock Humane Handling	313.16(a)(1)	<p>On 9/24/19, I (FLS Dr. Doug Suntrup), performed a routine DVMS humane handling visit for Est. 46380 Pickrell Locker and Smokehouse in Pickrell, NE. The facility planned to slaughter four (4) beef today. The facility does not implement a robust systematic approach to humane handling, and based upon my DVMS review today, they do not implement a systematic approach to humane handling. The stun operator used a .22 long rifle to render the animal insensible. I observed the first steer be stunned by the stun operator with a .22 long rifle. It was immediately rendered unconscious. At approximately 0919 hours, the second steer entered the knock box. The steer was fractious, swinging its head, ducking, moving repeatedly within the knock box, and placing his head in numerous positions. The stun operator paused and was calm, waiting for an appropriate shot. At approximately 0922 hours, the stun operator administered the first shot. The first shot did not render the animal unconscious. The steer vocalized, was still standing, and was bright, alert, and responsive. A mild amount of blood was seen on the right side of the steer's skull, and while the animal flailed his head back and forth, a marked amount of blood was coming from both nares. The blood was being flung back and forth on the walls and chute rails. The stun operator immediately reloaded the .22 long rifle with readily available ammunition. The stun operator waited approximately 3 minutes before administering the second shot. The second stun attempt was effective in rendering the animal unconscious. The length of time between the first stun attempt and the second stun attempt is attributed to the stun operator waiting for an acceptable position with which to appropriately stun the fractious steer. At approximately 0927 hours, (b)(6) took a regulatory control action by applying U.S. Reject tag #B41900359 to the entryway of the knock box, in</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
							<p>order to stop slaughter production. I notified Plant Owner Bobby Freeman of the immediate regulatory control taken to stop slaughter production. I allowed them to finish dressing the unconscious steer on the rail. I informed Mr. Freeman that this is noncompliant with HATS Category VIII 9 CFR 313.16(a)(1). The immediate corrective action was taken to render the steer insensible. Preventative measures were given in writing by Mr. Freeman on 9/24/19 around 1017 hours. The preventative states, (b)(4)</p> <p>(b)(4)</p> <p>(b)(4)</p> <p>(b)(4)</p> <p>(b)(4)</p> <p>(b)(4)</p> <p>(b)(4) Mr. Freeman stated he will need to get some parts custom made to reinforce the squeeze gate. He gave a one month timeframe for the full completion (10/24/19).</p>	
M51559	J & J Hazen Meats	SJN230 908272 9N-1	08/29/2019	04C02	Livestock Humane Handling	313.2	<p>At approximately 08:50 hours on 8/29/2019, while out in the barn performing humane handling verification task, I observed the following non-compliance for HATS Task Category III- water and feed availability: 2 steers were held in a pen with no access to water. I informed Owner Justin Hill of the forthcoming noncompliance record for failure to meet regulation 9 CFR 313.2(e), which states animals shall have access to water in all holding pens. (b)(6) immediately went to retrieve a bucket of water and provided it to the animals. No retain/reject tag was used.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46547	Gourmet Natural Meats LLC	UAV0810070109N-1	07/09/2019	04C02	Livestock Humane Handling	313.1, 313.2	<p>"While performing HATS category II (Truck Unloading) at 1:35 pm on Monday July 8th, (b)(6) observed the following noncompliance. I observed (b)(6) attempt to stand up a calf that he stated was recently born only a few hours prior to drop off. (b)(6) was finally able to stand the calf up but at the edge of the trailer; the newborn calf was wobbly. (b)(6) walked away from the calf to grab another; the calf fell off the trailer on its side hitting its head and side into the concrete. There was no visible injury or vocalization. No one came immediately to assist the calf up. (b)(6) proceeded to unload another calf before assisting the calf on the ground. I verbally notified Plant manager Mario Peralta that a noncompliance record would be issued. Noncompliance record UAV5517054715N/1 was issued on May 15, 2019 of the same root cause.</p>	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46547	Gourmet Natural Meats LLC	UAV511 607392 9N-1	07/29/2019	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	At 1145 am I observed the stun operators first attempt to stun a calf. The hand-held captive bolt (HHCB) did not make the usual 'bang' sound. A soft thud was all I heard. The calf immediately collapsed to the ground. The stun operator grabbed the snout of the calf and got the calf into position to make the cut against the throat. Before the cut was made the stun operator tapped the eye of the calf to make sure that the calf was still unconscious. I observed the calf blink multiple times to the touch. I immediately told the stun operator to apply a second stun. As the calf started to get up the stun operator immediately applied the second stun that effectively rendered the calf unconscious. I applied US Reject Tag #B42204492 to the stun box and US Retain Tag #B42204493 to the carcass. (b)(6) was notified immediately. The head was dressed and I observed one non-penetrating mark on the skull and one penetrating hole through the skull. I verbally informed Plant manager Mario Peralta that a noncompliance record would be issued. There are no additional noncompliance records of the same root cause within the past 90 days.	CLOSED
M46547	Gourmet Natural Meats LLC	UAV171 408510 7N-1	08/07/2019	04C02	Livestock Humane Handling		HATS Category III – Water and Feed Availability While performing HATS III (water and feed) on Tuesday August 6, 2019 at 12:06 pm (b)(6) (b)(6) observed the following noncompliance. I went to the pens to check on the calves, and noticed that in pen 4 there was no source of water (nipple container, or bucket). The calves arrived at 11:15 am. I observed truck unloading at that time, nearly one hour has passed with no water being provided for the calves in pen 4. I verbally notified Plant manager Mario Peralta of the noncompliance. I observed an establishment employee furnish water via a bucket to all calves in pen 4. There has been no other noncompliance due to the same root cause within the last 90 days.	CLOSED

EstNbr	EstName	NR#	Date	Task	TaskName	Regs	Description	Status
M46547	Gourmet Natural Meats LLC	UAV3415092303N-1	09/03/2019	04C02	Livestock Humane Handling	313.15 (b)(1)(i), 313.15(a)(1), 313.15(a)(3)	<p>At 2:25 pm on Friday of August 30, 2019 (b)(6) observed the following noncompliance, (b)(6), observed the stun operator stun a calf. The calf immediately collapsed to the ground. The stun operator tapped the eye of the calf, then walked away approximately 3 steps. I observed the calf started blinking and attempting to stand. I immediately told the stun operator to apply a second stun. The stun operator He was in the process of reloading the Hand-held Captive Bolt (HHCB) device. While the calf was regaining consciousness the stun operator turned the calf 180 degrees to face the wall, so that he could apply the second stun attempt. The second stun attempt rendered the calf unconscious. I applied US Reject Tag #B42204480 to the stun box and contacted the Denver District Office (DDO) through supervisory channels. I removed the US Reject tag following supervisory instruction. I verbally informed (b)(6) (b)(6), that a noncompliance record would be issued. Noncompliance UAV5116073929N/1 is a noncompliance record of the same root cause issued within the past 90 days</p>	CLOSED
M46622	920 Fries Frozen Foods, LLC	QCZ3307085221N-1	08/06/2019	04C02	Livestock Humane Handling	313.1	<p>On August 6th 2019 while inspection personnel was inspecting the holding pens, it was noted that the inside bottom of the chain link fencing was bent upward (torn). This poses the potential risk that animals maintained in these pens could injure themselves on the damaged fence links. No animals were observed to be injured from the observed facility issue. This observed non-compliance fails to meet the regulatory requirement of 9cfr313.1. Plant manager Leigh Ann Cason notified verbally and with this written NR that the non-compliance exist.</p>	OPEN